

Closed Caption Log, Council Meeting, 10/11/07

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Mayor Wynn: GOOD MORNING. I'M AUSTIN MAYOR WILL WYNN AND IT'S MY PRIVILEGE TO WELCOME REVEREND CARSON FROM THE AME WORSHIP CENTER IN OUR INVOCATION. PLEASE RISE.

LET US BOW. KIND AND GRACIOUS GOD, WE THANK YOU FOR THE OPPORTUNITY JUST TO GATHER TOGETHER AGAIN ON THIS MORNING. FATHER, WE PRAY THAT YOU WOULD LEAD US, THAT YOU WOULD GUIDE US, THAT YOU WOULD GRANTED US WISDOM AND YOU WOULD GRANT US KNOWLEDGE. THAT YOU WOULD GIVE US EVERYTHING THAT WE NEED SO THAT WE MIGHT LEAD EFFECTIVELY AND EFFICIENTLY. LORD, WE PRAY THAT YOU WOULD WATCH OVER THIS CITY, THAT YOU WOULD STRENGTHEN US, THAT YOU WOULD ENCOURAGE US, THAT IN EVERY WEAK PLACE THAT YOU WOULD BE OUR STRENGTH. WHERE WE ARE STRONG, THAT WE WOULD NOT GROW COMPLACENT. GOD, NOW LEAD US AND GUIDE US IN THIS MEETING ON EVERYTHING THAT IS SAID AND DONE BE DONE IN DECENCY AND IN ORDER. IT IS IN THE NAME OF JESUS CHRIST THAT WE PRAY. AMEN.

Mayor Wynn: THANK YOU, REVEREND CARSON. THERE BEING A QUORUM PRESENT, AT THIS TIME I'LL CALL TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL. IT IS THURSDAY, OCTOBER 11, 2007. WE ARE HERE IN THE COUNCIL CHAMBERS OF THE CITY HALL BUILDING, 301 WEST SECOND STREET. IT'S APPROXIMATELY 10:21 IN THE MORNING. I

PAUSE IN ADVANCE, MY VOICE ISN'T UP TO SNUFF THIS MORNING SO I'M GOING TO TRY MY BEST TO GET THROUGH THE MEETING. LET'S SEE. WE HAVE A HANDFUL OF CHANGES AND CORRECTIONS TO THE POSTING OF THIS WEEK'S AGENDA. WE SHOULD NOTE THAT ON ACTION ITEM NUMBER 2, APPROVE A RESOLUTION AUTHORIZING THE ISSUANCE BY NORTH TOWN MUNICIPAL UTILITY DISTRICT OF UNLIMITED TAX, WE SHOULD STRIKE THE WORD "REFUNDING" AND INSERT THE WORD "AND REVENUE BOONDZ." ON ITEM -- BOTH ACTION ITEMS 15 AND 16 WILL BE POSTPONED ONE WEEK TO OCTOBER 18th, 2007. ITEMS NUMBER -- THE FOLLOWING ITEMS HAVE BEEN WITHDRAWN: ITEMS 48, 61 AND 74 HAVE BEEN WITHDRAWN. ON ITEM NUMBER 64, WE NEED TO STRIKE THE WORDS "RETIREMENT FROM" AND INSERT THE PHRASE "15th PASTORAL AND VERSE" AT DAVID'S CHAPEL. ON ITEM NUMBER 95, WE SHOULD NOTE THAT THE PLANNING COMMISSION RECOMMENDATION IS TO GRANT GENERAL SERVICE COMMISSIONS OVERLAY NEIGHBORHOOD PLAN OR CS-CO-MP COMBINING DISTRICT ZONING TO CHANGE A CONDITION OF ZONING. ON ITEM NUMBER 96, WE SHOULD CORRECT THE RECOMMENDATION THAT ACTUALLY CAME TO US FROM THE ZONING AND PLATTING COMMISSION, NOT THE PLANNING COMMISSION. THOSE ARE OUR CHANGES AND CORRECTIONS TO THIS WEEK'S POSTED AGENDA. BEFORE I WALK THROUGH THE -- OUR SCHEDULE THIS MORNING AND AFTERNOON, AT THIS TIME I'LL TAKE A MINUTE TO ASK IF THERE ARE POTENTIAL UPCOMING ITEMS FROM COUNCIL FOR FUTURE AGENDAS. I WILL SAY THAT I PLAN TO BRING AN ITEM, WITH THE HELP OF THE LAW DEPARTMENT, FOR NEXT WEEK, AND I APOLOGIZE TO THE THOUSANDS APPARENTLY OF COMMUTERS THIS MORNING WHO ARE INCONVENIENCED ON WEST FIFTH STREET. OBVIOUSLY THERE'S LOTS OF BOTH PRIVATE CONSTRUCTION GOING ON IN DOWNTOWN, BUT ALSO A FAIR AMOUNT OF CITY-SPONSORED ROAD WORK, UTILITY AND ROAD WORK. WEST FIFTH STREET, OF COURSE, IS A MAJOR ACCESS POINT TO OUR DOWNTOWN, AND AS WE HAVE BEGUN ESSENTIALLY THE CONVERSION OF CESAR CHAVEZ, WEST FIFTH STREET ACTUALLY BECOMES MORE IMPORTANT AN ACCESS POINT INTO OUR DOWNTOWN. WITH ALL THE CONSTRUCTION THAT IS OCCURRING DOWNTOWN, THE PRIVATE CONSTRUCTION, WE HAVE CERTAIN RULES IN

PLACE FOR THE TIMES THAT CERTAIN THINGS CAN HAPPEN. AND WHEN IT'S APPROPRIATE, WE WAIVE THOSE AND WORK WITH THE BUILDERS TO -- TO BALANCE THE CONVENIENCE OF THE CONSTRUCTION TECHNIQUES WITH THAT OF NEIGHBORS WHO ARE TRYING TO SLEEP AT NIGHT PERHAPS AND COMMUTERS INTO DOWNTOWN. FOR INSTANCE, THE PROJECT ON WEST FIFTH STREET ON THE BANKS OF SHOAL CREEK, WE HAVE BEEN ALLOWING THAT PROJECT TO HAVE THEIR CONTINUOUS CONCRETE POURS. THAT IS, WE BEGIN THEM LET POURING CONCRETE ABOUT 3:00 IN THE MORNING. IT'S A LITTLE BIT OF TRADEOFF IN THAT SOME NEIGHBORS PERHAPS DON'T SLEEP AS WELL THAT NIGHT, BUT IT MAKES IT SIGNIFICANTLY EASIER FOR COMMUTERS TO GET INTO OUR DOWNTOWN DURING THE MORNING RUSH HOUR TRAFFIC PERIOD. UNFORTUNATELY EVEN WITH THAT CONCURRENCE, UNFORTUNATELY THIS MORNING THAT PROJECT HAD A DELIVERY, AN 18-WHEELER DELIVERING SOME PRODUCT TO THE CONSTRUCTION SITE, AND AS THAT TRUCK DRIVER TRIED TO BACK INTO THE CONSTRUCTION SITE, HE THEN GOT HIS WHEELS LODGED ON BOTH SETTINGS OF CURBS. SO HERE IS AN 18-WHEELER PARKED PERPENDICULAR ON WEST FIFTH STREET DURING RUSH HOUR TRAFFIC THIS MORNING, COMPLETELY, COMPLETELY HALTING ALL ACCESS INTO DOWNTOWN DURING RUSH HOUR. HAD THAT TRUCK DRIVER WAITED PERHAPS 45 MORE MINUTES, SIMPLY PULLED ON TO WEST AVENUE, COOLED HIS HEELS FOR AN HOUR AT MOST, THE BULK OF THE RUSH HOUR TRAFFIC WOULD HAVE DISPERSED AS THAT'S THE MORNING COMMUTE INTO DOWNTOWN. SO I'LL BE ASKING FOR AN ORDINANCE SPECIFICALLY RELATED TO TIMING OF DELIVERY AND BASED ON WEST FIFTH STREET BEING AN ACCESS MORNING POINT INTO OUR DOWNTOWN, HAVING REASONABLE LIMITED PERIOD OF TIME WHEN THAT -- SO THAT WON'T HAPPEN AGAIN. SAY 7:30 UNTIL 9:15 IN THE MORNING OR SOMETHING LIKE THAT WOULD HAVE CAUSED THIS MORNING'S CRISIS NOT TO HAVE OCCURRED. AND SO I'LL BE WORKING WITH THE LAW DEPARTMENT AND MY COLLEAGUES TO SEE IF WE CAN GET THAT POSTED FOR THE AGENDA NEXT THURSDAY. WE COULD PASS IT IN EMERGENCY SESSION AND BEGINNING HOPEFULLY IMMEDIATELY THERE WILL BE A PERIOD OF TIME -- AND WE MIGHT ALSO SUGGEST THAT THAT ORDINANCE ONLY LAST

FOR MAYBE EVEN THE NEXT SIX MONTHS OR SO WHILE CAESAR CHAVEZ IS GOING TO BE SOMEWHAT LIMITED IN ITS EASTBOUND MORNING CARRYING CAPACITY BECAUSE OF THAT CONSTRUCTION PROJECT. SO I THINK WE CAN BE MORE JUDICIOUS WITH HOW WE TRY TO BALANCE THE CHALLENGE OF GOOD PRIVATE SECTOR TAX BASE IN DEVELOPMENT OCCURRING IN OUR DOWNTOWN AND ENABLING COMMUTERS TO GET IN AND OUT OF OUR DOWNTOWN. THAT WILL BE MY ITEM NEXT THURSDAY. COUNCILMEMBER LEFFINGWELL.

Leffingwell: I PREVIOUSLY ANNOUNCED I WAS GOING TO BRING FORWARD ON OCTOBER 11th THE PROPOSED ORDINANCE FOR REDEVELOPMENT RETROFIT IN THE BARTON SPRINGS ZONE. THAT'S CURRENTLY STILL INVOLVED IN THE BOARD AND COMMISSION PROCESS AND I'LL BRING IT FORWARD AS SOON AS POSSIBLE. THE CURRENT PLAN IS TO BRING IT ON NOVEMBER 8th. AND ALSO ON NEXT WEEK, I'M PLANNING TO BRING FORWARD A RESOLUTION. THIS IS SORT OF RELATED TO THE REDEVELOPMENT RETROFIT ORDINANCE, A RESOLUTION TO DIRECT THE MANAGER TO DEVELOP STRATEGIES FOR EROSION CONTROL CITY-WIDE DURING CONSTRUCTION AND ALSO TO DEVELOP STRATEGIES FOR -- TO ENSURE LONG-TERM MAINTENANCE OF WATER QUALITY CONTROL BMPs.

Mayor Wynn: THANK YOU, COUNCILMEMBER. OTHER PEOPLE UPCOMING ITEMS? COUNCILMEMBER MARTINEZ.

Martinez: MAYOR, I WANTED TO LET EVERYONE KNOW THAT NEXT WEEK I'LL BE BRINGING AN ITEM FORWARD UNANIMOUSLY ADOPTED BY THE PUBLIC SAFETY TASK FORCE. THIS IS SOMETHING THAT REALLY DESERVES RECOGNITION AND ACKNOWLEDGEMENT FOR EVERYBODY THAT WORKED ON IT. CHIEF MCDONALD SPEARHEADED THIS WITH THE SUPPORT OF AUSTIN FIREFIGHTERS LOCAL 975 AND FIRE CHIEF ADAME. WE ARE GOING TO BE REVISEN AND AMENDING OUR CURRENT STAFFING POLICY WITHIN THE FIRE DEPARTMENT. COUNCIL IN 2001 ADOPTED THE TASK FORCE STAFFING RESOLUTION WHICH CREATED A MODEL FOR STAFFING IN THE FIRE SERVICE HERE IN AUSTIN THAT HELPED US MOVE FORWARD TOWARD THE NATIONAL STANDARD OF FOUR FIREFIGHTERS PER FIRE TRUCK. BUT

SINCE THAT TIME WE HAVEN'T MOVED FARTHER ALONG. WITH THIS REVISION TO THE TASK FORCE STAFFING MODEL AND WITH THE RESTRUCTURE OF STAFFING OF WHAT'S CALLED OUR QINT FIRE APPARATUS, HAD.... THIS IS GOING TO ALLOW ADDITIONAL PERSONNEL TO BE DEPLOYED TO FIRE STATIONS THAT ONLY HAVE THREE FIREFIGHTERS ON WATER TRUCKS AND FIRE PUMPERS, AND IT PUTS A STIPULATION THAT SAYS AS WE.. WE -- OLD LADDER TRUCKS OUT AND BRING IN NEW ONES, WE'LL ALSO STAFF THEM WITH FOUR FIREFIGHTERS OVER THE NEXT FEW YEARS. COUNCILMEMBER LEFFINGWELL MOVED THAT WE DO EVERYTHING AS A COUNCIL TO SPEED THAT PROCESS UP IF BUDGET ALLOWS. BUT IT DEFINITELY GETS US TO FOUR FIREFIGHTERS STAFFING ON EVERY FIRE TRUCK IN THE CITY OF AUSTIN, AND I JUST WANTED TO CONGRATULATE CHIEF MCDONALD AND THANK CHIEF ADAME AND THE PRESIDENT OF THE FIREFIGHTERS ASSOCIATION FOR THE SIGNIFICANT STEP FORWARD.

Mayor Wynn: THANK YOU, COUNCILMEMBER. ADDITIONAL POTENTIAL ITEMS COMING IN THE FUTURE? THANK YOU ALL. SO NOW I'LL WALK THROUGH WHAT I THINK WILL BE OUR SCHEDULE FOR TODAY. AS SOON AS WE GET THROUGH OUR CONSENT AGENDA THIS MORNING, AND WE MIGHT NOT HAVE MANY MORNING DISCUSSION ITEMS LEFT OVER FROM THE AGENDA, WE'RE GOING TO HAVE A BRIEFING FROM OUR DOWNTOWN COMMISSION ON ITS REPORT REGARDING CAPITOL VIEW DOWNTOWN. THEN WE BREAK FOR GENERAL CITIZENS COMMUNICATION AND AT THE AFTERNOON BRIEFING WE POSTED AT 2:00 TIME CERTAIN AND WE WON'T START BEFORE 2:00, OFTENTIMES WE'RE AN HOUR AFTER THAT IS CORRECT WE'LL HAVE OUR AFTERNOON BRIEFING WHICH IS THE RECOMMENDATIONS FOR OUR CITY'S BOARD AND COMMISSION RESTRUCTURING OPPORTUNITIES. NOW, SOMETIME AFTER 3:00 WE GO TO OUR AUSTIN HOUSING FINANCE CORPORATION BOARD OF DIRECTORS MEETING. AT 4:00 WE TAKE UP ZONING MATTERS. AT 5:30, AS USUAL, WE BREAK FOR LIVE MUSIC AND PROCLAMATIONS. THE MUSIC TODAY IS FROM THE AUSTIN CLASSICAL GUITAR SOME OF THE. THEN AT 6:00 WE POST TIME CERTAINS FOR OUR PUBLIC HEARINGS. THAT IS, WE WON'T ANY OF THE EVENING PUBLIC HEARINGS PRIOR TO 6:00. AS SOME OF YOU ALL

KNOW, WE DON'T TAKE THOSE UP UNTIL AFTER ZONING AND OFTENTIMES THAT'S WELL INTO THE EVENING AND NIGHT. I WILL SAY THAT WITHOUT OBJECTION, COUNCIL, BECAUSE THERE'S BEEN LOTS OF ATTENTION REGARDING THE POTENTIAL TWO ITEMS RELATED TO THE LOCATION OF A NEW ANIMAL SHELTER HERE IN TOWN, THERE WERE TWO ITEMS ON THE AGENDA, ITEMS 61 THAT HAS BEEN WITHDRAWN, AND ITEM 62, BOTH ESSENTIALLY RELATED TO LOCATION OF THE ANIMAL SHELTER. BEING REDUNDANT, 61 WAS WITHDRAWN FROM THE AGENDA. ITEM 62, I ANNOUNCE NOW WITHOUT OBJECTION I WILL CALL THAT ITEM UP IMMEDIATELY AFTER WE RETURN FROM OUR BREAK FOR LIVE MUSIC AND PROCLAMATIONS. SO MY INSTINCT IS WHAT WILL HAPPEN THIS EVENING IS AROUND 4:00 WE START OUR ZONING HEARINGS. OFTENTIMES, AS SOME OF YOU KNOW, BY THE TIME WE BREAK FOR 5:30 LIVE MUSIC, WE ESSENTIALLY HAVE USUALLY ONLY GOTTEN THROUGH WHAT WE CONSIDER TO BE OUR CONSENT AGENDA ON ZONING CASES. CASES WHERE WE'VE ALREADY HAD A PUBLIC HEARING AND/OR PUBLIC HEARING CASES THAT HAVE NO CONTENTION. SOMETIMES WE'RE ABLE TO TAKE UP A BRIEF ZONING DISCUSSION PRIOR TO 5:30, BUT USUALLY THOSE CONTESTED OR DISCUSSED ZONING CASES OCCUR AFTER WE GET BACK FROM OUR BREAK. SO WITHOUT OBJECTION, I'M SUGGESTING THAT I WOULD LIKE TO TAKE UP ITEM NUMBER 62 IMMEDIATELY UPON OUR RETURN FROM LIVE MUSIC AND PROCLAMATIONS, SO APPROXIMATELY 6:15 IN THE EVENING WE WILL THEN ASK FOR A STAFF BRIEFING ON THE HISTORY OF THE DISCUSSIONS REGARDING A NEW ANIMAL SHELTER. AND THEN WE MIGHT AS A COUNCIL TALK ABOUT WAIVING RULES SO WE CAN, FRANKLY, CONTROL THE LENGTH OF THAT PUBLIC HEARING HERE ESSENTIALLY FROM BOTH SIDES OF THE ISSUE, THE PROS AND CONS OF A NEW SHELTER'S LOCATION. AND THEN TAKE ACTION. AND THEN WE WILL RETURN BACK TO OUR ZONING CASES SHOULD THERE BE [INAUDIBLE]. SO IN EFFECT THE TIME CERTAIN ITEMS TODAY WILL BE ITEM NUMBER 62, DISCUSSING THE LOCATION OF A NEW ANIMAL HELTER, AND I ANTICIPATE THAT BEING APPROXIMATELY 6:15 P.M. THANK YOU ALL. SO COUNCIL, SO FAR -- AND SO THEREFORE ITEM NUMBER 62 IS PULLED OFF THE CONSENT AGENDA. COUNCILMEMBER MARTINEZ AND I WILL BE SHOWN AS

PULLING ITEM 62 AND WE'LL TAKE THAT UP AT APPROXIMATELY 6:15 TODAY. SO COUNCIL, I DON'T THINK THERE ARE OTHER ITEMS PULLED OFF THE CONSENT AGENDA. AS I READ EARLIER, A NUMBER OF ITEMS HAVE BEEN WITHDRAWN OR STAFF RECOMMENDED POSTPONING. SO ANY ITEMS TO BE PULLED. COUNCILMEMBER LEFFINGWELL.

Leffingwell: I WOULD LIKE TO ASK APPROVAL FOR WHEN THE TIME COMES FOR CONSENT POSTPONEMENT OF ITEM 59 UNTIL NOVEMBER 8th.

Mayor Wynn: THANK YOU. SO WHEN I READ THE CONSENT AGENDA, I'LL READ THAT AS A PART OF THE CONSENT.

Leffingwell: OKAY. ANY ADDITIONAL ITEMS TO BE PULLED OFF THE CONSENT AGENDA OR POSTPONED? HEARING NONE, THEN I WILL ATTEMPT TO READ THROUGH OUR PROPOSED CONSENT AGENDA THIS MORNING. AND THAT WILL BE TO APPROVE OUR MINUTES, NUMBER 1. ITEM NUMBER 2 PER CHANGES AND CORRECTIONS. FROM OUR TECHNOLOGY DEPARTMENT APPROVING ITEMS NUMBER 3. FROM OUR HEALTH AND HUMAN SERVICES DEPARTMENT, APPROVING ITEM 4. FROM OUR LAW DEPARTMENT, APPROVING ITEM NUMBER 5. FROM NEIGHBORHOOD PLANNING AND ZONING, APPROVING ITEM NUMBER 6. FROM OUR PUBLIC WORKS DEPARTMENT WE WILL BE APPROVING WITH THIS CONSENT AGENDA ITEMS 7, 8, 9, 10, 11, 12, 13, 14. WE WILL BE POSTPONING TO OCTOBER 18th ITEMS 15 AND 16. WE WILL BE APPROVING ITEMS 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, AND 27. IN OUR PURCHASING OFFICE, WE'LL BE APPROVING ITEMS 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47. AND ITEM 48 HAS BEEN WITHDRAWN PER CHANGES AND CORRECTION. WE'LL BE APPROVING ITEMS 49, 50, 51, 52, 53, 54. FROM OUR TREASURY OFFICE, WE'LL BE APPROVING ITEM 55. ITEM NUMBER 56 IS OUR APPOINTMENTS TO OUR BOARD AND COMMISSIONS. THEY ARE AS FOLLOWS: TO THE AUSTIN COMMUNITY TECHNOLOGY AND TELECOMMUNICATIONS COMMISSION ARTHUR SAM SON IS COUNCILMEMBER COLE'S REAPPOINTMENT. TO OUR COMMUNITY DEVELOPMENT COMMISSION, JEROME GARVE I IS COUNCILMEMBER McCracken's APPOINTMENT. TO OUR CONSTRUCTION

ADVISORY COMMITTEE, CALVIN WILLIAMS IS COUNCILMEMBER COLE'S REAPPOINTMENT. TO OUR ENVIRONMENTAL BOARD, RODNEY A HART IS COUNCILMEMBER COLE'S APPOINTMENT. TO OUR PLANNING COMMISSION, PERLA CAVASOS IS COUNCILMEMBER MARTINEZ'S APPOINTMENT. AND JAY READY IS MAYOR PRO TEM DUNKERLEY'S REAPPOINTMENT. TO OUR RESIDENTIAL DESIGN AND COMPATIBILITY COMMISSION, KATRINA DANIEL IS COUNCILMEMBER MARTINEZ'S REAPPOINTMENT. AND TO OUR URBAN FORESTRY BOARD, MARY LIMO NO. IS COUNCILMEMBER COLE'S APPOINTMENT. THAT IS ITEM 56 ON OUR CONSENT AGENDA. CONTINUING ON, WE'LL BE APPROVING ITEMS 57, 58. WE'LL BE POSTPONING ITEM 59 TO NOVEMBER 8th, 2007. WE'LL BE APPROVING ITEM 60. WE WILL NOTE THAT ITEM 61 HAS BEEN WITHDRAWN PER CHANGES AND CORRECTION. COUNCILMEMBER MARTINEZ AND I ARE PULLING ITEM NUMBER 62 OFF THE CONSENT AGENDA. WE'LL BE APPROVING ITEM NUMBER 63, 64, PER CHANGES AND CORRECTION, 65 AND 66. WE'LL BE SETTING PUBLIC HEARINGS BY APPROVING ITEMS 67, 68, 69, 70, 71, AND 72. I'LL ENTERTAIN A MOTION ON THAT CONSENT AGENDA. MOTION MADE BY MAYOR PRO TEM, SECONDED BY COUNCILMEMBER McCracken TO APPROVE THE CONSENT AGENDA AS READ. COMMENTS? COUNCILMEMBER LEFFINGWELL.

Leffingwell: I JUST WANT TO SAY ITEM NUMBER 60 IS AN ITEM TO PLACE ON THE CHARTER ELECTION NEXT MAY AN ARTICLE OF ESTABLISHING A TERM OF SERVICE FOR THE CITY AUDITOR. THE AUDITOR WOULD STILL BE APPOINTED BY THE COUNCIL, THAT'S THE CASE NOW, BUT DURING HIS TERM, FIVE YEARS COULD BE REMOVED ONLY BY A SUPER MAJORITY. AND A BRIEF EXPLANATION OF THAT. AND I WANT TO SAY ON ITEM NUMBER 63, JUST A COUPLE OF WORDS AND THEN I WANT TO ASK THE EXECUTIVE DIRECTOR OF THE HEALTH CARE DISTRICT TO COME UP, IF THAT'S OKAY, AND SAY A COUPLE WORDS.

Mayor Wynn: YES.

Leffingwell: WE ALL KNOW THAT MENTAL HEALTH CARE HAS LONG BEEN DEFICIENT IN AUSTIN AND TRAVIS COUNTY, AND EVEN BY TEXAS STANDARDS, AND I GUESS THAT'S SAYING

SOMETHING. THE HEALTH CARE DISTRICT WAS ESTABLISHED A FEW YEARS AGO AND ONE OF THE PRIMARY REASONS FOR THAT WAS TO ADDRESS THAT ISSUE OF MENTAL HEALTH CARE. THAT DEFICIENCY. THE VOTERS APPROVED IT A FEW YEARS AGO AND SINCE THEN THE HEALTH CARE DISTRICT HAS WORKED WITH A TASK FORCE, A MENTAL HEALTH TASK FORCE, TO ESTABLISH AN INTERIM PROGRAM FOR HEALTH CARE AND WE'VE MADE GOOD PROGRESS. THAT PROGRAM IS NOW IN PLACE. WE HAVE A FEW EMERGENCY PSYCHIATRIC BEDS NOW EFFECTIVE OCTOBER 1ST, WHEREAS A YEAR AGO WE HAD ZERO. BUT WE ARE STILL WORKING, PLAN TO WORK ON A PERMANENT FACILITY FOR MENTAL HEALTH CARE FOR PSYCHIATRIC CARE FACILITY. AND THAT FACILITY NEEDS TO BE LOCATED IN OR NEAR THE PUBLIC HOSPITAL. SO TRAVIS COUNTY HAS ANNOUNCED ITS INTENTION TO MOVE FROM THE CURRENT MOORE FACILITY WHICH IS ADJACENT TO BRACKENRIDGE HOSPITAL BECAUSE THEY ARE OUT OF SPACE, THEY NEED A NEW FACILITY. THE CITY OWNS THAT PROPERTY, HAS LEASED IT TO THE COUNTY UNDER A LONG-TERM LEASE, AND HAS THE RIGHT WHEN THE MORGUE MOVES TO RECLAIM IT. SO THIS RESOLUTION SIMPLY STATES THAT WHEN THAT PROPERTY BECOMES AVAILABLE, THAT IS, WHEN THE COUNTY MOVES THE MORGUE FACILITY, WE'RE GOING TO DEDICATE IT FOR USE AS A PSYCHIATRIC CARE FACILITY. AND I WOULD REQUEST THAT AFTER TODAY, ASSUMING THAT THE RESOLUTION PASSES, THAT WE ASK STAFF TO FORWARD THAT TO THE JUDGE AND THE COUNTY COMMISSIONERS AS SOON AS POSSIBLE BECAUSE THEY NEED TO ACT ON A SIMILAR RESOLUTION TO HAVE THAT AS A PACKAGE TO PRESENT TO THE STATE FOR APPLICATION FOR MENTAL HEALTH CARE FUNDS THAT HAVE BEEN MADE AVAILABLE BY THE LEGISLATURE. SO WITH THAT I'LL TURN IT OVER TO MS. YOUNG AND LET HER SAY A FEW WORDS.

THANK YOU, COUNCILMEMBER. MAYOR AND COUNCIL, IT'S GREAT TO BE IN FRONT OF YOU AGAIN TODAY. IT'S BEEN A WHILE. AS COUNCILMEMBER LEFFINGWELL INDICATED, WE HAVE BEEN WORKING ACTUALLY ALMOST TWO YEARS NOW ON PLANS THAT WILL INCREMENTALLY IMPROVE THE DELIVERY OF CRISIS PSYCHIATRIC SERVICES IN THIS COMMUNITY. ONE OF THE ITEMS THAT WE IDENTIFIED IN

OUR WORK WAS THE DESIRE FOR THIS COMMUNITY TO HAVE A SINGLE LOCATION THAT CAN PROVIDE EMERGENCY SERVICES, CRISIS SERVICES, A PLACE WHERE PEOPLE CAN RECEIVE A CONTINUUM OF CARE AROUND MENTAL HEALTH SERVICES THAT THEY NEED. RIGHT NOW THOSE SERVICES HAPPEN TO BE LOCATED IN MULTIPLE OR IN DIFFERENT LOCATIONS ACROSS THE COMMUNITY..... COMMUNITY, SOME AT SHOAL CREEK, SOME NOT FAR FROM HERE, BUT OUR IDENTIFIED GOAL WAS TO CO-LOCATE THESE SERVICES IN THE FUTURE. THE POSSIBILITY FOR THIS PROPERTY TO BE USED FOR THAT PURPOSE HAS ACCELERATED OUR PLANS TO MOVE THIS COMMUNITY TOWARDS A CO-LOCATED SERVICE DELIVERY SITE, SO WE ARE VERY, VERY EXCITED, VERY PLEASED AND WANT TO THANK YOU GREATLY FOR TAKING THIS STEP. WE DON'T KNOW EXACTLY HOW LONG IT WILL TAKE US TO GET THERE. OF COURSE, THE COUNTY HAS ITS OWN PLANS THAT IT HAS TO UNDERTAKE IN LOCATING AND BUILDING A NEW PROPERTY FOR ITS MEDICAL EXAMINER'S OFFICE. BUT THIS IS A TREMENDOUS STEP IN ALLOWING US TO NOW ON A VERY DETAILED BASIS PLAN WHAT WE NEED TO DO TO PROVIDE SERVICES THAT WILL MEET THE NEEDS OF THE COMMUNITY AND NOW THAT WE HAVE THE PHYSICAL LOCATION IT WILL ACCELERATE THE PROCESS. WE ARE VERY PLEASED THAT YOU HAVE TAKEN THIS STEP. THANK YOU.

Mayor Wynn: THANK YOU, MS. YOUNG. AND THANK YOU COUNCILMEMBER. FURTHER COMMENTS ON OUR CONSENT AGENDA? COUNCILMEMBER MARTINEZ.

Martinez: THANKS, MAYOR. ON ITEM 5, COUNCIL IS GOING TO BE APPROVING ALLOCATIONS FOR FUNDING FOR AN OUTSIDE LEGAL SERVICES FOR FORMER OFFICER JULIE SCHROEDER AND IT'S RAISED QUESTIONS ABOUT WHY WOULD THE CITY OF AUSTIN BE PAYING FOR FORMER OFFICER SCHROEDER'S ATTORNEY IN A CIVIL SUIT FILED AGAINST HER BY THE ROCHA FAMILY. IT NEEDS TO BE MADE REAL CLEAR THAT IT'S A STATE STATUTE REQUIREMENT THAT THE CITY STILL BEARS THE LIABILITY OF HER DEFENSE. AND WE CAN CHOOSE TO NOT FUND HER ATTORNEY RIGHT NOW, BUT IF THE COURT RULES IN THE ROCHA FAMILY'S FAVOR AGAINST OFFICER SCHROEDER, THEN WE WOULD BE OBLIGATED TO PAY THOSE FEES AND POSSIBLY DICIALG

FEES ON TOP OF THAT FOR -- ADDITIONAL FEES FOR NOT HAVING FUNDED IT UP FRONT PRIOR TO THE CASE GOING TO COURT. THE REASON COUNCIL HAS TO ADOPT THIS TODAY IS BECAUSE OF THE AMOUNT THAT WE ARE ALLOCATING AND SO I JUST WANT PEOPLE TO BE VERY CLEAR THAT I CERTAINLY DON'T NECESSARILY AGREE WITH THIS STATE STATUTE REQUIREMENT, BUT WE ARE MANDATED TO BEAR THAT LIABILITY BECAUSE OFFICER SCHROEDER WAS IN THE ACT OF WORKING AS AN AUSTIN POLICE OFFICER WHEN THE INCIDENT TOOK PLACE.

Mayor Wynn: THANK YOU, COUNCILMEMBER. FURTHER COMMENTS ON THE CONSENT AGENDA? COUNCILMEMBER McCracken.

McCracken: I JUST WANTED TO -- TWO QUESTIONS. THE FIRST IS ON ITEM 6. THE E.T.J. RELEASE. I JUST WANTED TO CONFIRM THIS IS THE POLICY FOR CONSIDERING REQUESTS FOR -- FOR THE CITY'S EXTRATERRITORIAL JURISDICTION BOUNDARY. I JUST WANTED TO CONFIRM THAT WOULD NOT IMPACT EXISTING E.T.J. LEE.... RELEASES.

THAT IS CORRECT.

McCracken: ON ITEM 57 I HAD A QUESTION ON THE TIMING OF THE CODE AMENDMENT. AND THIS IS JUST RELATING TO MEASUREMENT OF IMPERVIOUS COVER FOR SUBSURFACE PARKING AND IT'S PRETTY STRAIGHTFORWARD SINGLE ITEM CODE AMENDMENT, CAN YOU GIVE US SOME TIME LINE OF HOW -- WHAT THE TIMING IS FOR CODE AMENDMENT LIKE THIS?

OUR GOAL IS TO BRING THIS BACK DEFINITELY BY THE END OF THE YEAR WITH -- OUR SCHEDULE RIGHT NOW WOULD BE VERY TIGHT, BUT WE MAY BE ABLE TO GET BACK TO YOU BY THE 29th OR THE END OF NOVEMBER, ASSUMING THERE WOULD BE NO DELAYS AT BOARDS AND COMMISSIONS THAT COULD HAPPEN. IT'S A VERY TIGHT SCHEDULE, BUT DON'T WANT TO PROMISE YOU THAT CAN HAPPEN, BUT WE ARE GOING TO DO OUR BEST TO GET IT BACK BY THE END OF NOVEMBER. IT MAY BE THAT IT HAS TO HAPPEN IN EARLY DECEMBER.

McCracken: I THINK IT'S A GOOD TIME SCHEDULE. THANKS, PAT.

THANK YOU.

Mayor Wynn: COUNCILMEMBER COLE.

Cole: I JUST HAVE A QUESTION OF I GUESS IT WOULD BE LEGAL. I'M TRYING TO UNDERSTAND IF WE ACTUALLY WE... -- WE VOTE TO APPROVE THE -- ABOUT THE CITY AWEDDER, DO WE VOTE TO CALL THE ELECTION?

EXCUSE ME. MS. GILCHRIST CAN ANSWER THAT QUESTION.

JENNY GILCHRIST WITH THE LAW DEPARTMENT. YES, THE ELECTION WILL HAVE TO BE ULTIMATELY CALLED AND THE ORDINANCE THAT YOU WILL HAVE TO VOTE ON AFTER YOU APPROVE THIS RESOLUTION WILL INCLUDE BOTH THE BALLOT LANGUAGE AND THE ACTUAL LANGUAGE THAT WILL APPEAR IN THE CHARTER IF THE BALLOT ITEM IS APPROVED BY THE VOTERS.

Cole: AND IT'S MY UNDERSTANDING THAT WE CAN ONLY HAVE A CHARTER ELECTION EVERY TWO YEARS. IS THAT CORRECT?

ONLY IF THE CHARTER IS AMENDED. SO IF AN ITEM IS APPROVED BY THE VOTERS THAT AMENDS THE CHARTER, THEN WE'RE PROHIBITED FROM HAVING ANOTHER CHARTER ELECTION FOR TWO YEARS.

Cole: WE CAN PUT AS MANY ITEMS AS WE NEED TO ACTUALLY CALLING THE ELECTION AND THEN ONLY IF THE ITEMS ARE APPROVED DOES THAT TWO-YEAR PROHIBITION COME INTO PLAY?

THAT'S CORRECT. FOR EXAMPLE, THE LAST CHARTER AMENDMENT, NEITHER OF THE ITEMS PASSED AND SO WE WEREN'T FORESTALLED FOR TWO YEARS.

Cole: OKAY. THANK YOU.

Mayor Wynn: SO MS. GILCHRIST, JUST TO CONTINUE,

ESSENTIALLY THIS ACTION TODAY, YOU CAN CHARACTERIZE THIS AS OUR FIRST STEP AND THEN POTENTIALLY HAVING THIS ITEM PLACED BEFORE THE VOTERS AS EARLY AS NEXT SPRING. WE'RE ASKING CITY MANAGER AND HER LEGAL DEPARTMENT TO DRAFT THE ORDINANCES, IT WOULD THEN COME BACK TO US FOR POTENTIAL FINAL APPROVAL AS WE CRAFT A POTENTIAL BALLOT.

THAT'S CORRECT. IT WILL REQUIRE TWO FURTHER ACTIONS BY THE COUNCIL. ONE TO ADOPT AN ORDINANCE SETTING OUT THE BALLOT LANGUAGE, AND THE ACTUAL CHARTER AMENDMENT. AND THEN COUNCIL WILL ALSO HAVE TO ACT TO CALL THE ELECTION.

Mayor Wynn: THANK YOU, MS. GILCHRIST.

Cole: I HAVE ANOTHER QUESTION. I'M SORRY, MS. GILCHRIST. ALSO I NEED TO UNDERSTAND WHAT IMPACT IT MIGHT HAVE ON FUTURE ITEMS THAT WE MAY WANT TO ADD TO THE CHARTER. LIKE THE WORK OF THE CHARTER REVIEW COMMISSION, WOULD THAT IMPACT THIS AT ALL IF WE HAVEN'T ALREADY CALLED THE ELECTION?

NO. TYPICALLY WHEN WE BRING FORWARD A SERIES OF CHARTER AMENDMENTS, WE BRING EACH FORWARD IN A SEPARATE ORDINANCE TO ALLOW COUNCIL TO VOTE UP OR DOWN ON EACH PROPOSED CHARTER AMENDMENT. SO THE CHARTER REVIEW COMMITTEE CAN STILL BRING RECOMMENDATIONS FORWARD, AND I BELIEVE THEY ARE PLANNING TO DO THAT IN LATE DECEMBER OR EARLY JANUARY. AND THOSE WOULD BE VOTED ON AS SEPARATE ITEMS BY COUNCIL.

Mayor Wynn: COUNCILMEMBER KIM.

Kim: THE ORDINANCES WE WERE ORIGINALLY GOING TO TAKE A PUBLIC HEARING NEXT THURSDAY, BUT GIVEN THE REQUEST FROM COUNCILMEMBERS TO HAVE IT IN FRONT OF CERTAIN SUBCOMMITTEES AND DIFFERENT BODIES INCLUDING C.A.N., THE STAFF LOOKED AT THE CALENDAR AND SUGGESTED WE MOVE THAT TO NOVEMBER 29th. AND SO WE WILL BE HAVING THAT PUBLIC HEARING AND POSTED

ACTION FOR NOVEMBER 29th.

Mayor Wynn: THANK YOU. FURTHER COMMENTS ON OUR CONSENT AGENDA? I'LL JUST NOTE BRIEFLY THERE'S A NUMBER OF ITEMS ON OUR CONSENT AGENDA, ONE FROM THE WATER UTILITIES, ONE FROM AUSTIN ENERGY, ONE FROM OUR FLEETS THAT I CHARACTERIZE AS IMPROVEMENTS. OBVIOUSLY THEY ARE IMPROVEMENTS OPERATIONALLY FOR EACH OF THESE DEPARTMENTS, BUT ALSO MEASURE..... MEASURABLE IMPROVEMENTS TO OUR SUSTAINABILITY GOALS. FUNDAMENTALLY UNDER OUR POILT PROTECTION PLAN REDUCING EITHER VEHICLE MILES TRAVELED OR GREENHOUSE GAS EMISSIONS BASED TO THE POWER UTILIZED BY THESE APARTMENTS. I GUESS A REQUEST FOR STAFF IS THAT THE BACKUPS AREN'T VERY CONSISTENT WHEN IT COMES TO HOW WE CAN ANALYZE EVEN LAUD THESE DIFFERENT ITEMS. FOR INSTANCE, ITEM 19, CLEARLY NEEDED IMPROVEMENTS TO THE DAVIS WATER TREATMENT PLANT WITH DIFFERENT, NEWER TECHNOLOGY, MORE EFFICIENT PUMPS. BASED ON THAT INEVITABLY THERE IS GOING TO BE A SLIGHT LESS ENERGY LOAD AT DAVIS AND SO I WOULD LIKE TO BE ABLE TO SEE IN OUR BACKUP PERHAPS A BRIEF SORT OF CALCULATION OF HOW MUCH ELECTRICITY PERHAPS NEW EFFICIENT PUMPS LIKE THESE COULD SAVE. BECAUSE ITEM NUMBER 35 DOES A VERY GOOD JOB OF SHOWING THAT WE'LL SPEND \$1.1 MILLION, BE PURCHASING 42 TWO-WAY RADIO SEQUENCED ELECTRIC METERS. THESE ARE METERS THAT WILL TALK DIRECTLY TO OUR UTILITY EVERY 15 MINUTES OR SO, I THINK. DOES TWO IMPORTANT THINGS. ONE, IT ALLOWS OUR UTILITY TO BETTER MANAGE PEAK LOAD BASED ON WHO IS USING A LOT OF TERRORIST AND WHEN THEY ARE USING IT, BUT ALSO BECAUSE WE DON'T HAVE TO SEND DRIVERS AND METER READERS OUT TO THESE 40,000 METERS, IT'S PREDICTED THAT THIS PURCHASE WILL SAVE 44,000 VEHICLE TRIPS EVERY YEAR. SO REMARKABLE SAVINGS WHEN IT COMES TO, YOU KNOW, VEHICLE MILES TRAVELED; THEREFORE, YOU KNOW, BOTH THAT WEAR AND TEAR AND COST SAVINGS AND THE CARBON EMISSIONS FROM THOSE TRIPS. SO I GUESS I WOULD LIKE TO ASK FOR JUST A LITTLE BETTER CONSISTENCY IN OUR BACKUP AS TO HOW THESE IMPORTANT ITEMS THAT CLEARLY ARE SAVING ON ENERGY

USE AND THEREFORE CARBON AND GREENHOUSE GAS EMISSIONS, WE SHOULD BE ABLE TO SEE THAT A LITTLE MORE READILY IN OUR BACKUP. SO HATS OFF TO THE UTILITY FOR MAKING THESE ACTIONS, BUT LET'S MAKE SURE WE HAVE THE ABILITY TO SORT OF TRACK IT AND GAUGE IT AND ULTIMATELY REMIND OUR CITIZENS WHY WE'RE BOTHERING TO DO THE THINGS WE'RE DOING. SO THANK YOU ALL VERY MUCH. WE HAVE A MOTION AND A SECOND ON THE TABLE TO APPROVE THE CONSENT AGENDA AS READ. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION PASSES ON A VOTE OF 7-0. THANK YOU ALL VERY MUCH. WE'LL GIVE THE CROWD A MINUTE OR TWO TO CLEAR THE ROOM. THEN WE'LL TAKE UP OUR MORNING BRIEFING, POSTED AS ITEM NUMBER 73. THIS IS A PRESENTATION BY THE DOWNTOWN COMMISSION ON ITS REPORT ON CAPITOL VIEW CORRIDORS.

HELLO, COUNCILMEMBERS. MY NAME IS JEB VOIGHT, REPRESENTING THE PARKS BOARD ON THE COMMISSION AND I'M HERE TO FOLLOW UP FROM MY REPORT LAST YEAR ON THE DOWNTOWN DEVELOPMENT POTENTIAL ISSUES WITH OUR FELLOW REPORT REGARDING THE CAPITOL VIEW CORRIDORS. BASED ON OUR REPORT PREPARED IN JUNE OF THIS YEAR. WHAT I'M GOING TO SPEAK ON TODAY, I'M GOING TO PROVIDE BRIEF BACKGROUND LOOKING AT THE CAPITOL VIEW CORRIDORS. GO OVER THE STEPS IN THE PREPARATION OF THE REPORT, THEN PROVIDE A QUICK SUMMARY OF ALL OF OUR RECOMMENDATIONS AND FOCUS ON THE SIX SIGNIFICANT RECOMMENDATIONS THAT ARE WORTHY OF DISCUSSION TODAY. SO THE BASIC ISSUE, THE VIEW CORRIDORS ARE -- THEY ARE DESCRIBED FROM VARIOUS POINTS AROUND THE CITY. ALL OF THEM GO TO THE BASE OF THE CAPITOL DOME. ONE OF THE KEY ISSUES WE'RE LOOKING AT IS SOME OF THE CORRIDORS HAVE BEEN DEFINED BY THE STATE AND SOME OF THE CORRIDORS HAVE BEEN DEFINED BY THE COUNCIL, AND SOME OF THOSE DEFINITIONS DON'T AGREE WITH EACH OTHER. THIS MAP SHOWS YOU ALL OF THE CAPITOL VIEW CORRIDORS. YOU CAN SEE SOME OF THEM EXTEND OUT TO SOME DISTANCE. THIS MAP SHOWS THE IMPACT OF ALL THE VIEW CORRIDORS IN THE DOWNTOWN AREA AS THEY COME IN TO THE CAPITOL. BUT WHERE WE ARE IS THE STATE HAS

ESTABLISHED ON TOTAL OF 30 CORRIDORS AND THE CITY HAS ESTABLISHED 26 CORRIDORS AND WE HAVE CONFLICTING DEFINITIONS FOR FIVE OF THOSE CORRIDORS. NOW, THE DEVELOPMENT RESTRICTIONS THAT ARE PART OF THE CAPITOL VIEW CORRIDORS RELATE TO THE HEIGHT TO WHICH A BILLING..... BUILDING CAN BE BUILT BEFORE IT BEGINS TO IMPAIR OR BLOCK THE VIEW CORRIDOR. AND THE WAY THAT HEIGHT PLAYS OUT IS REALLY A FUNCTION OF THE TOPOGRAPHY AND ALSO THE RELATIVE ELEVATION OF THE VIEWPOINT AS COMPARED TO THE CAPITOL. WE HAVE HERE A SAMPLE DIAGRAM THAT SHOWS YOU HOW THIS MAY PLAY OUT, BUT IN REALITY WE HAVE SOME VIEWPOINTS THAT ARE HIGHER ELEVATIONS THAN THE CAPITOL, SOME OF THEM ARE QUITE LOW, WE HAVE SOME ELEVATIONS THAT HAVE RIDGING BETWEEN THE VIEWPOINTS AND THE CAPITOL THAT IMPOSE ADDITIONAL RESTRICTIONS. THIS IS A NEW MAP THAT WAS RECENTLY PREPARED BY CITY STAFF AND IT'S NOT INCLUDED IN OUR REPORT, BUT I WANTED TO BRING IT TO YOUR ATTENTION TODAY. THIS MAP SHOWS THE HEIGHT BETWEEN A VIEWER CORRIDOR AND THE GROUND. THE LIGHT ORANGE AREAS ON THIS MAP INDICATE ELEVATIONS OF 50 TO 75 FEET, THAT IS, YOU COULD BUILD UP TO THAT HEIGHT BEFORE YOU REACH OR BEGIN TO IMPAIR THE CORRIDOR. THE YELLOW 100 TO 125 FEET. OF PARTICULAR SIGNIFICANCE ON THIS MAP, I DRAW YOUR ATTENTION TO THE AREA SOUTHEAST OF THE CAPITOL WHERE THERE'S THE DARK RED AREA WHICH INDICATES THE WOOLRIDGE PARK CORRIDOR WHICH THERE IS ELEVATION OF LESS THAN 25 FEET. IT ACTUALLY IS SIGNIFICANTLY LESS THAN THAT AND IN THE DARK RED AREA IT'S ACTUALLY NEGATIVE. SO THE CAPITOL VIEW CORRIDORS CAME ABOUT AS A RESULT OF A 1983 REPORT. IT WAS DONE BY CITY STAFF. THAT REPORT LOOKED AT 11 REGIONAL CORRIDORS, 11 REGIONAL CORRIDORS CAME OUT OF THAT REPORT. SO SOME OF THE ADDITIONAL CORRIDORS THAT WE HAVE TODAY WERE NOT INCLUDED IN THAT 1983 REPORT. OUR STUDY HAS BEEN THE FIRST COMPREHENSIVE REVIEW OF THE CORRIDORS SINCE THAT 1983 REPORT. UNDERTAKING THIS STUDY, WE BEGAN WITH THE ASSUMPTION YOU SHOULD ACTUALLY BE ABLE TO SEE THE CAPITOL FROM EACH OF THE VIEW CORRIDORS. WE FOUND THIS IS NOT ALWAYS THE CASE. WE LOOKED AT THE 1983 REPORT AND

THE METHODOLOGY THEY USED IN COMING UP WITH THE VIEW CORRIDORS INITIALLY AND FOLLOWED THAT IN THE PREPARATION OF THIS REPORT. SO STUDYING LAST FALL UNDER A DEVELOPMENT COMMITTEE OF THE DOWNTOWN COMMISSION GOT TOGETHER TO REVIEW THE INDIVIDUAL CORRIDORS. WE'VE BEEN OUT, DID SITE VISITS, TOOK PHOTOGRAPHS OF EACH CORRIDOR. WE DEVELOPED -- WE AGREED ON THE METHODOLOGY WE'RE GOING TO FOLLOW IN THE FORMAT FOR THE REPORT AND DRAFT INDIVIDUAL EVALUATIONS INTO A DRAFT REPORT FOR THE FUEL COMMISSION. MARCH 21st WAS THE FIRST DRAFT, FULL DRAFT. MARCH 28 WE CIRCULATED THE DRAFT FOR PUBLIC COMMENT. THERE WAS A FAIR AMOUNT OF MEDIA DISCUSSION OF THE REPORT AT THIS TIME. WE RECEIVED NUMEROUS COMMENTS, SOME IN WRITING, MOST VERBAL COMMENTS AND ALSO THROUGH MEETINGS WITH STAKEHOLDERS AND INTERESTED NEIGHBORHOOD ASSOCIATIONS AND OTHER INTERESTED COMMUNITY GROUPS. AND WE THEN PREPARED IN JUNE OUR FINAL REPORT THAT WAS REVISED IN RESPONSE TO MANY OF THE COMMENTS THAT WE RECEIVED. SO WHAT OUR REPORT INCLUDES ARE RECOMMENDATIONS THAT -- WE ARE RECOMMENDING NO CHANGE AT ALL TO 19 OF THE 30 DESCRIBED CORRIDORS. THE 30 CORRIDORS AND THE NUMBING SYSTEM WE FOCUS IS THE STATE NUMBING SYSTEM AND I'LL GET TO THAT MORE. WE ARE PROPOSING -- WE ARE NOT PROPOSING THE ELIMINATION OF THE ANY OF THE CAPITOL VIEW CORRIDORS AND RER RECOMMENDING IMPROVEMENT, REEVALUATION OR FURTHER STUDY FOR 11 OF THE CORRIDORS. AFTER I GO OVER THESE RECOMMENDATIONS, I'LL PROVIDE YOU A BRIEF OVERVIEW OR A DISCUSSION OF THE SIX DETAILED CORRIDORS. SO THESE RECOMMENDATIONS CAN GO BROKEN INTO A NUMBER OF CATEGORIES. ONE RELATES TO THE NUMBER OF CORRIDORS, HIGHWAY CORRIDORS SUCH AS MOPAC AND I-35. ONE APPLIES TONO CARRIERRINGNO CARRIERRINGNO CARRIERRINGCONNECT 57600

MAYOR WYNN: WE ARE OUT OF CLOSED SESSION. WE NOW GO TO OUR NOON GENERAL CITIZEN COMMUNICATION. OUR FIRST SPEAKER IS JULIA DWORSHACK.

THANK YOU. I'M HERE TO SAY THAT THE SHELTER SHOULD

NOT MOVE. I PERSONALLY WORK WITH LARGE NUMBERS OF RESCUE ANIMALS AND ATTEND TO THEIR NEEDS RIGHT THROUGH THEIR KNEW ADOPTIVE HOMES. I HAVE DONE THIS EVERY SINGLE DAY OF EVERY YEAR IN THE LAST DECADE. RESCUES AND FOSTERS WERE THE ONES IN THE TRENCHES. WE ARE THE ONES THAT INTIMATELY SEE WHAT WORKS FOR ADOPTING ANIMALS AND WHAT DOES NOT. THE SAME THING APPLIES, LOCATION, LOCATION, LOCATION, THAT IS WHY WHOLE FOODS AND OTHERS ARE WHERE THEY ARE, THEY ARE CENTRAL, EASY TO GET TO, IN THE MAIN FLOW OF PEOPLE AND CLOSE TO THE PARK. MOVING THE SHELTER WOULD MEAN HIGHER KILL RATES THAN AUSTIN ALREADY HAS WHICH IS OPPOSITE OF THE DESIRED OUTCOME. MISSION ORANGE, WHICH EVERYONE I TALK TO HAS TO CORRECT THEMSELVES BECAUSE THEY COME UP WITH AGENT ORANGE WHICH MAY BE A COLLECTIVE FREUDIAN SLIP. MISSION ORANGE WILL TELL IT IS A GOOD THING TO MOVE THE SHELTER, BUT IT DOES NOT REPRESENT MY VIEWS OR THE VIEWS OF MOST OF THE PEOPLE TRULY CONCERNED ABOUT THE ANIMAL WELFARE IN AUSTIN. MISSION ORANGE FUNDS A TAX FORCE TO FIND BORDERS, WHICH IS WHY THEY HAVE RESCUERS BEING ATTACKED AND INVESTIGATED AND TRESPASSING ON PRIVATE PROPERTY ON FISHING EXPEDITIONS AND BULLYING THEIR PEOPLE ON PEOPLE'S HOMES.

I WILL ADD THAT THE PROPOSED SITE IS IN AN AREA WHERE THE RESIDENTS ARE WAITING FOR AFFORDABLE HOUSING AND DO NOT WANT THE SHELTER IN THEIR NEIGHBORHOOD. RECENT ADVISORY TO THE CITY MANAGER STATED THAT THE MOVE BETTER HAPPEN QUICKLY BEFORE THE EAST SIDE COMMUNITY WAKES UP. I WOULD LIKE THERE TO BE AN INVESTIGATION INTO THE HIDDEN AGENDAS BEHIND THIS SCRAMBLE TO SWEEP AUSTIN'S ANIMALS UNDER THE CARPET. ONE POINT THAT HAS NOT BEEN HIGHLY PUBLICIZED THAT IF THE SHELTER LAND IS MISUSED OR NOT KEPT WITH THE RESTRICTIONS TO A FEDERAL MANDATE, AUSTIN COULD LOSE ALL FEDERAL FUNDING FOR TEN YEARS. YOU MIGHT LOOK INTO THAT BEFORE YOU EVEN THINK ABOUT VOTING. THAT WOULD LAND QUITE A BLOW TO THE CITY OF AUSTIN AND IF THERE IS ANYONE ON THE COUNCIL THAT WOULD LIKE TO BE RESPONSIBLE FOR

LOSING FEDERAL FUNDING FOR TEN YEARS. YOUR DECISION HAS THE POTENTIAL TO TAKE AWAY SOMETHING FROM AUSTIN THAT IS PRECIOUS AND CAN NEVER BE REPLACED. WHY EXACTLY IS THE CITY THROWING THAT AWAY. I'M ASKING, THIS IS A HIGH LIE UNPOPULAR AND POTENTIALLY HIGHLY ILLEGAL MOVE WHO IN OUR CITY COUNCIL IS WILLING TO DO WHAT IS RIGHT. I AM ASKING THAT THE VOTE BE CANCELED AND THAT THE CITY THOROUGHLY INVESTIGATE THE LACK OF RESEARCH BEHIND THE PROPOSED MOVE. THANK YOU.

MAYOR WYNN: THANK YOU. WE WILL CONDUCT A PUBLIC BRIEFING AND HEARING THIS EVENING APPROXIMATELY 6:15 P.M. THE NEXT SPEAKER IS STEPHANIE ERICSON. VUL THREE MINUTES AND FOLLOWED BY WILLIAM CLIFFORD.

HI, THANK YOU FOR HAVING ME IN TODAY. A FEW WEEKS AGO I WAS IN AN ACCIDENT DUE TO THE LACK OF SAFETY IN AUSTIN. I WAS BIKING IN THE BIKE LANE FOLLOWING ALL TRAFFIC RULES WITH A HELMET AND A WOMAN PARKED IN THE BIKE LANE AND HOPED HER DOOR ON ME, AND I FLEW OFF MY BIKE AND THIS IS WHAT I'M LIKE TODAY. ONE OF THE WORST PARTS OF THE ACCIDENT ASIDE FROM MY BONES STICKING OUT OF MY ARM AND THE BONE AND THE BRUISES AND EMOTIONAL STRESS IS THAT THE WOMAN DID NOT RECEIVE A PARTICULAR BECAUSE IT IS LEGAL FOR HER TO PARK IN THE BIKE LANE WHERE SHE WAS. I UNDERSTAND THAT SEVERAL YEARS AGO THERE WAS SOME INVESTIGATES AND STUDIES DONE TO SEE THE FEASIBILITY OF MAKING IT ILLEGAL TO PARK IN BIKE LANES IN AUSTIN BUT TO MY KNOWLEDGE THAT HAS SINCE STOPPED AND IT IS STILL LEGAL TO PARK IN THOSE LIKE BANES DOWN IN THE CITY. -- IN THOSE BIKE LANES DOWN IN THE CITY. I'M ASKING YOU ALL WHEN YOU TAKE TIME TO MAKE PLANS FOR A BICYCLE PLAN IN THE FUTURE, IN THE CITY OF AUSTIN, THAT YOU TAKE INTO CONSIDERATION OF SAFETY OF BIKE LANE BECAUSE ALLOWING CARS TO PARK IN BIKE LANES IS DANGEROUS AND DEFEATS THE PURPOSE OF A BIKE LANE AND LEAVES BICYCLIST WHOSE ARE SAFE AND FOLLOW ALL RULES IN DANGER OF BEING HURT. AND I KNOW THAT THERE ARE OTHER TASK FORCES GOING ON IN AUSTIN TO TRY TO MAKE MORE SAFETY RULES FOR CYCLISTS AND TRY TO MAKE AUSTIN A MORE BIKE-FRIENDLY AREA, BUT I'M ASKING

IN THE FUTURE WHEN YOU DECIDE ON PLANNING FOR BICYCLING THAT YOU CONSIDER THE PARKING OF CARS AND BIKE LANES. THAT IS IT.

THANK YOU, MISS ERICSON. YES, FIRST AND FOREMOST, WE HOPE AND WISH FOR A FULL AND SPEEDY RECOVERY FOR YOU, I'M SORRY FOR THAT ACCIDENT. THERE IS A STREET SMARTS TASK FORCE GOING ON NOW, IT IS VERY WELL ATTENDED, VERY WELL STAFFED BY CITY STAFF, A REMARKABLY BROAD SERIES OF ISSUES ARE WORKING THEIR WAY FORWARD, EVERYTHING TO AND THROUGH LEAGUE ANALYSIS OF EXISTING AND POTENTIAL RULES, BUT ALSO FUNDAMENTALLY THE PHYSICAL INFRASTRUCTURE. YOU KNOW, DEDICATED BIKE LANES WITHOUT PARKING, GRADE AND LANE SEPARATION, SO THERE IS, A YOU KNOW, THERE IS A BIG SERIES OF PIECES OF WORK COMING FORWARD THAT HOPEFULLY HERE THE NEXT FEW MONTHS WE WILL BE ABLE TO PRESENT A WORKABLE FINANCEABLE PLAN FOR US TO START BUILDING THE APPROPRIATE INFRASTRUCTURE, HAVING THE FAIR AMOUNT OF, YOU KNOW, RULES ENFORCEMENT, BUT ALSO RECOGNIZING THE TRADE OFFS AND CHALLENGES WE HAVE WITH ALL TYPES OF MOBILITY IN TOWN. I'M SORRY FOR THE ACTIONS.

I'M THANK TO FEEL LEARN ABOUT WHAT YOU ARE ALL WORKING ON.

I'M SURE IF YOU LOGGED ON THE CITY WEB SITE THERE WOULD BE A LINK TO THE STREET SMARTS TASK FORCE.

THANK YOU.

MAYOR WYNN: COUNCIL MEMBER KIM.

I'M SORRY ABOUT WHAT HAPPENED TO YOU.

THANK YOU, MAYOR U.K. CHANGE PLACES WITH THE SPEAKER.

YOU BET. THE NEXT SPEAKER IS CAROLANNROSE KENNEDY. WELCOME. WELL, THEN WHY DON'T WE GO TO PAUL ROBBINS. PAUL, YOU READY? HE IS USUALLY QUICK ON HIS FEET, BUT I DON'T SEE PAUL. THERE HE IS. PAUL, WELCOME,

VUL PLEA THINS AND FOLLOWED BY KENNEDY WHO WILL BE FOLLOWED BY WILLIAM CLIFFORD.

THANK YOU, COUNCIL. I'M PAUL ROBBINS. I'M AN ENVIRONMENTAL ACTIVIST AND CONSUMER ADVOCATE. I AM ASKING -- LET ME START OVER. YOU ARE GOING TO PUT TWO CHARTER AMENDMENTS ON THE BALLOT TODAY AND MAYBE ONE IN THE FUTURE ON SINGLE MEMBER DISTRICTS, AND I'M ASKING AGAIN, WHAT ABOUT THE CHARTER PROVISION THAT GUARANTEES THE PUBLIC THE RIGHT TO VOTE ON REVENUE BONDS. REFERRING TO ARTICLE 7, CHAPTER 11, ALL REVENUE BONDS ISSUED BY THE CITY SHALL BE AUTHORIZED BY MAJORITY OF QUALIFIED ELECTORS VOTING AT AN ELECTION HELD FOR THIS PURPOSE. THIS IS ALREADY IN THE CHARTER BUT IS ROUTINELY IGNORED. I HAVE ASKED THE COUNCIL SEVERAL TIMES AND. ASKING AGAIN TO EITHER SUBMIT A CHARTER CHANGE TO THE VOTERS REQUESTING THAT THEY RELINQUISH THEIR VOTE ON REVENUE BONDS, OR ABIDE BY WHAT IS WRITTEN. THE IMPORTANCE OF THIS CHARTER PROVISION CANNOT BE UNDER STATED GIVEN THE PROPOSAL TO EXPAND THE SOUTH TEXAS NUCLEAR PROJECT. THE NUKE WAS AUSTIN'S MOST EXPENSIVE FINANCIAL MISTAKE, IT HAS COST 460% OVER ITS ORIGINAL PRICE. WHAT LITTLE IS KNOWN ABOUT THE NEW PROPOSAL AND ITS COST IS, WHAT LITTLE IS KNOWN IS DISCONCERTING. THE NEW NUKE TO BE COMPLETED IN 2014 IS SUPPOSED TO COST THE SAME PER UNIT THAT THE OLD NUKE COST IN 1989.

MAYOR WYNN: THANK YOU, MR. ROBBINS. SO CAROLANN ROSE KENNEDY, WELCOME. YOU WILL BE FOLLOWED BY WILLIAM CLIFFORD.

WELCOME BACK COUNCIL. I JUST WANT TO REMIND YOU, THIS WILL ONLY HURT FOR THREE MINUTES. AND THIS IS IN THE DRAFT STAGE SO I WILL BE A LITTLE SLOWER THAN USUAL. THANK YOU. (music) THERE'S A LITTLE WHITE DUCK WALKING ON THE WATER, A LITTLE WHITE DUCK DOING WHAT SHE AUTTA. SHE JUMPED RIGHT OFF OF A LILLIE WHITE PAD, WRAPPED HER WE THINKS AND SHE SAID I'M BAD. (music) THERE'S A LITTLE WHITE DUCK SWIMMING IN THE RIVER, QUACK, QUACK, QUACK. (music) THERE'S A LITTLE WHITE TRUCK FAR AWAY FROM HOME, A LITTLE WHITE

TRUCK, ONLIED BY GIRLS WHO ROAM, SHE SMOKED, AND SHE DRANK, AND SHE SPENDS THE NIGHT, CLICKED HER HEELS, AND SHE SAID I'M GONE. (music) THERE'S A LITTLE WHITE TRUCK FAR AWAY FROM HOME, BOO-HOO-HOO. THAT IS W-H-O. QUESTION MARK. (music) THERE'S A LITTLE BROWN MAN HANGING AT THE BORDER, A LITTLE BROWN MAN, WAITING FOR THE ORDER. THE KIDS AND THEIR MOM CRIED AND SCREAMED ALL NIGHT BECAUSE HE PACKED HIS BAGS, AND HE PICK AD FIGHT. (music) THERE'S A LITTLE BROWN MAN HANGING AT THE BORDER, OH, OH, OH. (music) (music) EXCLAMATION POINT. (music) THERE'S LITTLE WHITE MAN, LIVING IN THE WHITE HOUSE, A LITTLE WHITE MAN, RUNNING FROM HIS FINE SPOUSE. HE PARKED HIS ASS ON THE CAPITOL HILL, SCHEMING HOW HE CAN BE LIKE BILL. THERE'S A HIGH WHITE TOWER, BUILT INSIDE A BOARD ROOM, A HIGH WHITE TOWER, WAITING FOR A QUORUM, THEY ATE, AND THEY DRANK, AND THEY LAUGHED AND PLAYED WHILE THE PEONS WORKED AND BECAME THEIR SLAVES. (music) THERE'S A LITTLE WHITE GIRL CLIMBING UP A TREE, AND A LITTLE BLACK BOY FELL FROM MAMA'S KNEE. THEY ARE HUNGRY TIRED AND SO CONFUSED, LISTEN TO THE LITTLE WEE PEOPLE BEING USED. (music) THERE'S A LITTLE BROWN DOG LOOKING FOR A BONE, A LITTLE BROWN DOG, WAITING FOR A HOME, HE RUNS AND HIDES LIKE THE WHITE BOYS DO, WHEN A WOMAN SAYS I NEED SOMETHING NEW. (music) THERE'S A LITTLE YELLOW GIRL, BORN TO SERVE A MAN, A LITTLE YELLOW GIRL, DOING WHAT SHE CAN, BUT SHE REACHED UP, AND HE SLAPS HER DOWN, NOW SHE'S WORKING AS A PARTY CLOWN. I'M ALMOST DONE.

MAYOR WYNN: PLEASE CONCLUDE.

HUH?

MAYOR WYNN: PLEASE CONCLUDE, YOUR TIME HAS EXPIRED.

(music) THERE IS A LITTLE RED BOY ON THE RESERVATION WONDERING WHAT THE HELL HAPPENED TO THE NATION SEW DRINKS AND PRAYS ON THE CITIES BUT, DREAMING ABOUT WHAT BELONGS TO US. THERE'S A BIG WHITE DUCK LAYING IN THE RIVER, A BIG WHITE DUCK.

MAYOR WYNN: YOUR TIME HAS EXPIRED, THANK YOU VERY MUCH. OUR NEXT SPEAKER IS WILLIAM CLIFFORD. WELCOME MR. CLIFFORD.

(music), BUT SHE LAYS HER EGGS, AND SHE CRIES ALL NIGHT, HOPING THAT A MAN WILL PICK UP THE FIGHT (music)
(music)

THANK YOU.

MAYOR WYNN: THANK YOU, SIR.

THESE DWELLINGS HAVE EXTERNAL ENTRANCES, SEPARATE KITCHEN, SEPARATE BEDROOMS AND BATHROOMS, AND THEY ARE RENTED BY THE PROPERTY OWNERS TO STRANGERS FOR INCOME. WE HAVE TRIED FOR A NUMBER OF YEARS TO STOP THIS, WE'VE BEEN UNSUCCESSFUL AND THAT'S WHY I'M HERE TODAY. IN MARCH OF THIS YEAR, CODE ENFORCEMENT VISITED ALL SEVEN OF THESE PROPERTIES. FIVE WERE FOUND TO NOT MEET COMPLIANCE. WHAT THESE FIVE DID, THE PROPERTY OWNERS LOCKED THIS DOOR INSTANTLY CREATING A DUPLEX. THE CODE INSPECTION FOLKS REMINDED THE PROPERTY OWNER THAT DOORS ARE NOT SUPPOSED TO BE LOCKED AND THEN THEY LEFT. THE NEIGHBORHOOD ASKED THE CODE INSPECTORS HOW, WHAT WOULD PREVENT THE PROPERTY OWNERS FROM SIMPLY LOCKING THE DOORS AGAIN ONCE THE INSPECTORS LEFT. THE INSPECTOR SAID IF YOU CAN PROVE THAT THE DOORS ARE LOCKED, CALL US, WE WILL COME OUT AND INSPECT. AND IT GETS WORSE. THE INSPECTORS FREQUENTLY CALL THE PROPERTY OWNERS TO SCHEDULE AN APPOINTMENT FOR THE INSPECTION. SO ALL THESE PROPERTY OWNERS HAVE TO DO IS UNLOCK THE DOOR, AND THEY PASS. WE WILL SOLICIT YOUR HELP IN WORKING WITH US TO TRY AND SHUT THESE DOWN. WHAT QUESTIONS DO YOU HAVE?

MAYOR WYNN: THANK YOU, MR. CLIFFORD. QUESTIONS FOR MR. CLIFFORD. THANK YOU. THIS IS EYE-OPENING. OUR NEXT SPEAKER IS BILL BOLTON, FOLLOWED BY PHIL DICK.

THANK YOU, I'M BILL BOLTON AND I RESIDE IN THE SUMMIT OAKS NEIGHBORHOOD, AND I ALSO WANT TO DISCUSS THE

CITY SANCTIONING OF THE CONVERSION OF SINGLE FAMILY HOMES TO MULTIFAMILY RENTALS WHILE STILL IN A SINGLE FAMILY ZONING AREA. IF I BUY HOME IN A SINGLE FAMILY ZONED NEIGHBORHOOD I THINK IT IS REASONABLE TO REMAIN. I HAVE NO PEOPLE ADDING A DUPLEX OR APARTMENT FOR ASSISTED LIVING TO HAPPY FAMILY MEMBER, BUT I INSIST ONCE THE PURPOSE IS ENDED IT NOT BE USED FOR RENTAL PROBLEM. MY PROBLEM IS TWO RESIDENCES UNDER ONE SINGLE FAMILY ROOF DON'T SHARE LIVING SPACE. THIS ARRANGEMENT WAS APPROVED BY THE ZONING, THE DOOR OPEN NEIGHBORHOODS A CLOSED GARAGE, AND IT EXISTED FOR MANY YEARS IS IN THE LAST INSPECTION WE CALLED IN 2007. AT THAT TIME THE HOMEOWNER WAS JUST TOLD TO MAKE ANOTHER DOOR, AND I WILL BET YOU CAN PAINT A DOOR ON THE WALL LIKE ROADRUNNER CARTOON AND ZONING WOULD PASS THIS. MY PROBLEM IS ONCE IT IS DISCOVERED TO BE TWO SEPARATE HOMES Y DO THEY CONVERT IT TO THE MAGIC ACCESS DOOR. IT IS IN VIOLATION AT THIS POINT AND SHOULD BE STOPPED IT. ALSO POINTS TO THE INTENT TO OPERATE THIS AS TWO SEPARATE DWELLINGS. DOES THE EXISTENCE OF TWO LOCKED DOORS BETWEEN HOTEL ROOMS MAKE THEM ONE UNIT, THE LAQUINTA HOTEL SAYS IT DOESN'T. THIS ENABLE THE HOMEOWNERS TO VIOLATE THE SANCTITY OF ZONING. IF I CATCH A THIEF ROBBING MY HOUSE, THEY TELL ME TO TELL HIM TO GO OUTSIDE, AND THEY TELL THE BURGLAR DON'T COME BACK. THAT IS WHAT IS HAPPENING. THESE LAWS ARE, THE ZONING IS BEING VIOLATED AND YET NOTHING IS BEING DONE. THERE IS NO ENFORCEMENT. MICHAEL DELL DOESN'T HAVE A 1600 SQUARE FOOT RANCH STYLE HOME, AND HE IS NOT RENDING IT OUT.

WHAT I WANT TO ASK THE CITY COUNCIL, WHAT DO YOU ABOUT THIS.

MAYOR WYNN: AGE I SUSPECT COLLEAGUES OF MINE WILL TOO WORK WITH THE LEGAL DEPARTMENT TO TRY TO UNDERSTAND HOW WE CAN GO AND RECTIFY THIS BAD SITUATION.

HAND OUT IS MY NAME AND NUMBER ON THE COVER PAGE, AND I WANT TO POINT OUT THAT SAMPLE FLOOR PLAN I

INCLUDED WE SPENT TWO HOURS WITH ZONING ENFORCEMENT, AND I HANDED IT THROUGH GREG AND ASKED IF THIS WOULD BE LEGAL, AND HE LOOKED AT THAT TIME AND LOOKED AND IT AND LOOKED, AND IT AND SAID YES, IT WOULD. AND.

MAYOR WYNN: WELL, THEN --

WE WILL SCALE MEETING AND TALK ABOUT THIS, I NEED TO GET WITH THE STAFF BECAUSE OBVIOUSLY THIS IS NOT WHAT THE COUNCIL INTENDED FOR THIS KIND OF THING TO HAPPEN AND IF THIS IS ONE THING THAT IS, DOES PASS THE CODE, THEN WE HAVE A SERIOUS PROBLEM IF PEOPLE ARE GETTING TOO CLEVER IN INTERPRETING OUR CODE.

IT IS THE INTERPRETATION.

EXACTLY SO THANK YOU.

MAYOR WYNN: THANK YOU. WELCOME, YOU WILL HAVE THREE MINUTES.

I'M HERE TODAY TO COMPLAIN ABOUT SOME, THESE ISSUES THAT HAS PROLONGED, HAS BEEN GOING ON WITH ME AND MY FAMILY MEMBERS FOR YEARS, SUCH AS POLICE ABUSE, AND I HAVE WHERE MY SON WROTE, HE IS ACTUALLY INNOCENT OF A 15-YEAR DRUG POSSESSION CASE, THIS YEAR WILL MAKE MY SON BE INCARCERATED 14 YEARS THIS SON CLAIMED HE ARRESTED MY SON MAY 14, 1993 AND THIS IS A SHERIFF'S REPORT THAT SHOWS THAT MY SON WAS ALREADY INCARCERATED ON THAT DATE, AND I WROTE TO THE TEXAS OPEN RECORDS REQUEST FOR INFORMATION ON THAT MAY 14th DATE, 1993, TO HELP GET MY SON RELEASED, AND MR. GREG HAMILTON, HE SENT ME THIS RESPONSE ON SEPTEMBER 26, 2007, AND IT STATES THAT HE HAS SEARCHED FOR THAT DATE OF ARREST, AND IT SAYS DILIGENTLY THEY HAVE SEARCHED THROUGH THE RECORDS AND THERE WAS NOTHING THAT MAINTAINED THE ARREST RECORD OF MAY 14, 1993 FOR MY SON. SO I'VE BEEN TRYING TO FIND AN ANSWER, HOW IN THE WORLD COULD MY SON BE ARRESTED ON THAT DATE AND GO TO STATE PRISON AND HAS BEEN THERE EVER SINCE FROM MAY 14, 1993, AND THIS

IS OCTOBER THE.

MAYOR WYNN: 11th.

THANK YOU, 11th, 2007, AND THIS IS WHERE THE CITY OF AUSTIN SENT BACK STATING THAT THEY HAD NO RECORD, IT WAS DESTROYED, THOSE RECORDS WERE DESTROYED. THEY CAN'T FIND ANYTHING. AND I'M ASKING FOR MY PUBLIC SERVANTS, AND YOU ALL TO PLEASE HELP ME GET MY SON RELEASED AND GET HIM HOME. THIS IS WHAT I'M CONCERNED ABOUT ALSO IS I RECEIVED THIS PARKING TICKET, I'M A DISABLED PERSON. I RECEIVED THIS PARKING TICKET, DID LOSE MY, YOU KNOW, HANDICAP SIGN, I WENT AND BOUGHT ANOTHER ONE, AND I SUBMITTED EVERYTHING AND I TOLD THEM, BUT THEY STILL TRYING TO MAKE ME PAY THE \$300 FOR THE TICKET, AND I SUBMITTED, AND IT SAYS PERMANENT DISABILITIES, I HAVE PERMANENT DISABILITIES AND I'M HOPING AND PRAYING THAT YOU ALL CAN HELP ME RESOLVE THAT ISSUE. I ALSO HAVE HERE WHERE I'M NOT GUILTY OF THESE CRIMINAL ACTIVITIES, I HAVE NO CRIMINAL RECORD, MAYOR WYNN. I'M CONCERNED ABOUT THAT OFFICER WHO CAME INTO THE DOOR WAY THAT DAY AND SAID IN 1970, OH, WE GOT US ONE, LOOK HERE, WE GOT YOU US ONE NO POLICE RECORD, NO CRIMINAL HISTORY, MY RECORD IS CLEAN, AND I'M ASKING FOR HELP WITH THAT. I'VE BEEN TO POLICE MONITORS, WITNESS -- I'M JUST STUDYING AND TRYING TO GET THIS IN BEFORE TIME, BUT MISS JONES WAS WORKING WITH ME, THE POLICE MONITOR WHEN SHE WAS HERE ON HELPING ME TO, YOU KNOW CLEAR MY NAME AND RECORD AND EVERYTHING. AND SHE SENT ME A LETTER ONE DAY STATING THAT SHE HAD TO CLOSE MY FILE. I DON'T KNOW WHY, NEXT THING I KNOW SHE WAS NO LONGER THE POLICE MONITOR. SO I AM REALLY AND TRULY REACHING OUT FOR YOU ALL, TELL I'M INNOCENT ALSO OF A CAR WRECK THAT WAS CLAIMED THAT I BACKED UP AND STRUCK THE POLICE OFFICER'S GIRL FRIEND ANSWER WOUND UP GIVING ME ALL THE TICKETS, AND I WAS NOT GUILTY OF THAT WRECK EITHER, SIR. DID NOT BACK UP AND STRIKE ANYONE.

MAYOR WYNN: MISS DICK, IF YOU WOULD BE KIND ENOUGH TO LEAVE THIS EVIDENCE OR INFORMATION YOU HAVE WITH MISS GENTRY, I WILL TAKE IT AND FORWARD IT PROBABLY

BOTH TO OUR LEGAL DEPARTMENT AND TO CLIFF BROWN, OUR NEW POLICE MONITOR, TO ASK THEIR ADVICE AND HELP.

I SURE DO THANK YOU, MAYOR WYNN.

MAYOR WYNN: THANK YOU, MA'AM.

THANK YOU THIS TIME FOR LISTENING TO ME.

MAYOR WYNN: OUR NEXT SPEAKER IS AUSTIN VANZANT. WELCOME, YOU WILL HAVE THREE MINUTES.

GOOD AFTERNOON AND THANK YOU FOR HAVING ME. I'M ACTUALLY HERE TO TALK ABOUT TWO SEPARATE ISSUE BUS TWO ISSUES THAT AFFECT ME NONETHELESS. THE FIRST IS, I HAVE BEEN AN ACTIVE MEMBER 6 THE BUS-RIDERS UNION, WE BASICALLY FOUGHT CAPITAL METRO ON THE FARE INCREASE, AND IT LOOKS LIKE WE WON, AT LEAST FOR THE SHORT-TERM, BUT WE ARE LOOKING INTO A FEW DIFFERENT CONTRACTS, LOOKING INTO SOME BUDGET NUMBERS AND ONE THING I HAVE A QUESTION ABOUT, I KNOW IT IS NOT REALLY NEEDS TO BE DIRECTED TO YOU, BUT IT IS STILL SOMETHING THAT I THINK THE CITY COULD BE INTERESTED IN. IS THE NEW CIRCULATOR PLAN FOR DOWNTOWN. IT SEEMS TO COST \$230 MILLION TO HAVE THE STREETCARS PUT IN, BUT IT SEEMS THAT IF YOU DO THE SAME SYSTEM, THE SAME MILEAGE WITH BUSES, THAT WOULD ONLY COST \$30 MILLION IN IMPROVEMENTS, SO THAT IS ABOUT 1/10 OF THE PRICE OF TAXPAYER DOLLARS, AND I JUST WANTED TO ASK WHY, WHY THE STREETCARS. THE SECOND ISSUE THAT I WANTED TO BRING TO YOUR ATTENTION IS THE ANTISOLICITATION ORDINANCE. THAT APPARENTLY HAS BEEN WRITTEN OVERLY BROAD. I GOT OFF THE PHONE WITH THE ACLU LAWYERS ABOUT A HALF HOUR AGO OR SO, THEN I RAN INTO BRUCE McCracken AND TALKED TO THEM ABOUT IT, BRUCE, REV Velled IN THE FACT YOU CAN ONLY GO TO THE BATHROOM ONE AT A TIME RIGHT NOW, BUT ANYWAY, THE ANTISOLICITATION ORDINANCE ACCORDING TO THESE LAWYERS WOULD DIRECTLY EFFECT PETTY CABERS AND THAT IS RIGHT NOW MY SOLE SOURCE OF EMPLOYMENT AND IF THIS GOES THROUGH IT WOULD BAN SOLICITATION IN THE DOWNTOWN BUSINESS AREAS AND

WITHIN 25 FEET OF CROSS WALKS AND CAFES. I MEAN OBVIOUSLY I AMNY LAWYER, I HAVEN'T REALLY GONE THROUGH ALL THE ORDINANCE BUZZ I WANT TO SAY IT IS SECTION 94-13 IS THE ONE THAT WOULD DIRECTLY AFFECT SOUSE I WANTED TO BRING THOSE TO YOUR ATTENTION AND SOLICIT YOUR HELP, AND I GUESS FINDING MY PERSPECTIVE ON ALL THESE ISSUES. THANK YOU.

MAYOR WYNN: THANK YOU, MR. VANZANT. WELL NOTED. NEXT PEEKER, SUSANNAH ALMANZA, SIGNED UP TO DISCUSSES BUT INCREASE, I PRESUME BUS FARE INCREASES FOR CAPITAL MET TREATMENT AND OTHER FINAL SPEAKER IS RUTH EPSTEIN. WELCOME MISS EPSTEIN. YOU WILL HAVE THREE MINUTES. WELCOME.

THANK YOU FOR HEARING ME TODAY. I AM RUTH EPSTEIN, PRODUCER OF THE PUBLIC ACCESS PROGRAM TAKING LIBERTIES FOR THE CENTRAL TEXAS CHAPTER OF THE ACLU OF TEXAS. I SPEAK FOR MYSELF AS A PUBLIC ACCESS PRODUCER. I AM CONCERNED THAT THE CONTRACT FOR MANAGEMENT OF OUR PUBLIC ACCESS STATION, PACT, MAY BE CONTINUED FOR ANOTHER TWO YEARS TO THE SAME MANAGEMENT WITHOUT A REQUEST FOR PROPOSALS AND WITHOUT SUBSTANTIAL AMENDMENTS. THE CURRENT CONTRACT LACKS THE PROCESS, A PLACE TO GO FOR APPEAL. THERE IS NO EFFECTIVE OVERSIGHT. POLICIES AND PROCEDURES PROMULGATED BY MANAGEMENT ARE PETTY AND PUNITIVE. THEY REQUIRE RESPECTFUL BEHAVIOR BY PRODUCERS TOWARDS STAFF, BUT NO CORE RESPONDING CALL FOR RESPECTFUL BEHAVIOR BY STAFF TOWARDS PRODUCERS. I, MYSELF, HAVE BEEN TREATED WELL, BUT I'M TALKING FOR PRODUCERS AS A WHOLE. THE CURRENT CONTRACT ALLOW TWOS PRODUCERS ON THE PACT BOARD, THERE IS ONLY ONE, AND HE WAS APOINTEED BY MANAGEMENT, NOT CHOSEN BY PRODUCERS TO REPRESENT THEM. PACT MANAGEMENT IS INCREASINGLY CONCERNED WITH RAISING MONEY, GIVING PRODUCERS AN EQUIPMENT LOW PRIORITY. FOR THE SAKE OF THE FIRST AMENDMENT, I ASK THAT THESE BE ADDRESSED IN THE NEW OR AMENDED CONTRACT.

MAYOR WYNN: THANK YOU, MISS EP STEIN. SO COUNCIL, THAT CONCLUDES OR GENERAL CITIZEN COMMUNICATION

FOR TODAY'S AGENDA. THERE BEING NO MORE -- I HAVE TO TAKE THAT BACK. EARLIER IN CLOSED SESSION WE TOOK UP TWO REAL ESTATE MATTER, ITEMS NUMBER 79, THE FIRST OF WHICH IS ITEM NUMBER 79 RELATED TO A POTENTIAL EASEMENT ALONG LINE CREEK ROAD, AND WE WILL POST IT FOR ACTION ITEM RELATED TO THAT DISCUSSION AND WELCOME A BRIEF STAFF PRESENTATION.

MAYOR, COUNCIL MEMBER, MY NAME IS LORRAINE AND I'M THE MANAGER FOR REAL ESTATE IN THE CITY OF AUSTIN, AND I'M HERE TODAY TO ASK FOR AUTHORIZATION TO GO OUT FOR INVITATION TO BID FOR AN ACCESS EASEMENT ACROSS A PIECE OF PROPERTY ON LIMECREEK ROAD. THE ADDRESS OF THE PROPERTY IS 11941 LIMECREEK ROAD AND THE ACCESS EASEMENT CONSISTS OF 12,176 SQUARE FEET. AS YOU CAN SEE BY THE MAP THAT THE SUBJECT IS LOCATED ON LIMECREEK ROAD NEAR CEDAR PARK. THE CITY PURCHASED THIS PROPERTY A FEW YEARS AGO FOR THE REGIONAL RADIO TOWER THAT HOLDS COMMUNICATIONS FOR VARIOUS PUBLIC SERVICES AND PUBLIC SAFETIES. IT CONSISTS YOU OF TWO TRACTS, A FIVE-ACRE TRACT AND A SIX-ACRE TRACT. THE GUIDE WIRES STRADDLE BOTH PROPERTIES. THIS IS A PICTURE OF THE ANTENNA SITE. THIS IS WHAT THE EASEMENT WOULD LOOK LIKE, IT WOULD GO FROM LIMECREEK ROAD TO THE BACK OF THE PROPERTY. THIS IS A PICTURE OF THE SITE, THE SITE IS ALREADY, THIS AREA HAS ALREADY BEEN CLEARED, AND IT WOULD JUST BE LEVELED OUT AND THERE WOULD BE NO CONCRETE OR ANYTHING PLACED IN THIS AREA. WE HAVE HAD THE EASEMENT APRICED AND THE MINIMUM BID WOULD BE \$12,000. WE WOULD GO OUT, IF YOU SO AUTHORIZE, WE WILL PUT IT OUT FOR BID ON OCTOBER 15th AND ADVERTISE THROUGH THE 29th. THAT WOULD BE THE REVIEW PERIOD FOR ANYBODY WISHING TO PURCHASE OR BID ON THE PROPERTY. ON NOVEMBER 29, WE ACCEPT THE BIDS UNTIL 4:00 P.M., NOVEMBER 30th WE WOULD OPEN THE BIDS AND DECEMBER 6th WE WOULD BRING BACK AN ACTION ITEM FOR COUNCIL TO ACCEPT OR REJECT THE BIDS. AND THAT SAUL I HAVE. -- THAT IS ALL I HAVE.

THANK YOU. QUESTIONS FOR STAFF? COMMENTS? COUNCIL MEMBER LEFFINGWELL.

APPROVAL OF ITEM 81.

MAYOR WYNN: MOTION BY COUNCIL MEMBER LEFFINGWELL. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR, PLEASE SAY AYE. AYE. OPPOSED? MOTION PASSES ON A VOTE OF 5-0 WITH COUNCIL MEMBERS.

MCCRACKEN: AND MARTINEZ OFF THE DIAS. ALSO COUNCIL IN CLOSED SESSION WE TOOK UP ANOTHER REAL ESTATE MATTER, ITEM NUMBER 80, THAT RELATED TO THE MUNICIPAL COURT AND POLICE NORTHEAST SUBSTATION.

BECAUSE OF THE COST OF CONSTRUCTION AND REAL ESTATE GOING UP IN THE CITY 6 AUSTIN WE DECIDED TO, IT WOULD BE ECONOMY OF SCALES IF WE COULD PUT TWO PROJECTS TOGETHER ON ONE SITE. THE REQUIREMENTS FOR THE MUNICIPAL COURTHOUSE IS APPROXIMATELY 66,000 SQUARE FOOT. THEY NEED SPACE FOR ADDITIONAL COURTROOMS AND ADMINISTAFF. THEY NEED AN ADDITIONAL PARKING FOR THE COURT USERS AND ALL THE EMPLOYEES. THE COURTHOUSE NEEDS TO HAVE VISIBILITY AND HAVE EASY ACCESS AND BE ON A MAJOR ROAD. IT NEEDS TO BE AS CLOSE TO THE CENTER OF THE CITY AS POSSIBLE.

IT NEEDS TO BE LOCATED IN THE SERVICE AREA AND HAS TO HAVE DEDICATED OPERATIONAL AND ADMINISTRATIVE SPACE. THE PROPERTY NEEDED TO BE ALONG OUR GATTON LINES AND AT LEAST 150 PARKING SPACES BOTH SECURED AND UNSECURED. WE'VE BEEN LOOKING FOR A MUNICIPAL COURTHOUSE SITE FOR OVER ONE YEAR. WE'VE INVESTIGATED OVER 75 PROPERTIES. THE PROPERTY THAT WE LIKE TO BRING FORWARD TO YOU TODAY IS THE HOME DEPOT SITE LOCATED ON, AT ST. JOHNS AND I-35. THE OWNER IS HD DEVELOPMENT PROPS LIMITED, THE SITE CONSISTS OF 13-ACRES AND THE BUILDING IS APPROXIMATELY 105,000 SQUARE FOOT WITH A 9,366 GARDEN CENTER. YOU CAN SEE THE LOCATION, IT IS RIGHT OFF OF I-35, IT ALSO HAS EASY ACCESS TO 290 AND 183. THIS IS A GOOD LOCATION FOR THE POLICE SUBSTATION BECAUSE THEY CAN HAVE EASY ACCESS THROUGHOUT THAT NEIGHBORHOOD. THERE IS AN AERIAL PHOTOGRAPH OF THE SITE. IT CONSISTS OF THE GRASSY AREA BEHIND

THE SITE AND THE PARKING IS IN FRONT AND I-35. HERE IS A PICTURE OF THE BUILDING. THIS SHOWS YOU A PICTURE OF SOME OF THE PARKING. THE INTERIOR SITE HAS HIGH CEILINGS WHICH WOULD BE EASILY ADJUSTED TO THE COURTHOUSE AND THE COURTROOMS. THIS IS THE GRASSY AREA BEHIND THE COURTHOUSE. THIS BUILDING WAS BUILT IN 1995, WE'RE STILL IN THE PROCESS OF STRONG APPRAISED. THE APPRAISAL DISTRICT CARRIES THE PROPERTY AT 11,600,000. WE WOULD LIKE TO PURCHASE IT FOR \$65 A SQUARE FOOT OR . IT HAS PARKING, ABOUT 554 SUV AND TRUCK PARKING WHICH WE HOPE TO REALLOCATE AND HAVE ADDITIONAL PARKING. IT IS ABOUT 4.5-MILES FROM THE EXISTING COURTHOUSE OR AN ADDITIONAL EIGHT MINUTES. SOME OTHER TERMS OF THE TRANSACTION WOULD BE THAT WE COULD TERMINATE THE CONTRACT FOR ANY REASON, THE PROPERTY WOULD HAVE TO COME IN AT THE, APPRAISAL WOULD HAVE TO MOM AT THE CONTRACT -- COME IN AT THE CONTRACT PRICE AND THERE NOR ENVIRONMENTAL ISSUES. ALSO, THE HOME DEPOT WISHES TO OM PIE THE PROPERTY THROUGH DECEMBER OF -- OCCUPY THE PROPERTY THROUGH DECEMBER OF 2008, WHICH WOULD WORK WELL BECAUSE WE WOULD NEED TIME TO DESIGN AND PERMIT FOR THE MUNICIPAL COURTHOUSE AND POLICE SUBSTATION. OUR PROJECT BUDGET IS 23 MILLION AND THAT INCLUDES ARCHITECTURE, ENGINEERING AND ART IN PUBLIC PLACES. AND THOSE FUNDING SOURCES WOULD BE FROM THE BOND PROJECT, 60 MILLION ALLOCATED FOR THE MUNICIPAL COURTHOUSE AND 7 MILLION FOR THE POLICE SUBSTATION FOR A TOTAL OF 23 MILLION. AND OUR NEXT STEP, SHOULD YOU AUTHORIZE US US TO MORE FORWARD TODAY WOULD BE TO COMPLETE THE APPRAISAL AND INSPECTION AND ENNEAR A CONTRACT. AND THAT IS ALL I HAVE FOR YOU TODAY.

MAYOR WYNN: THANK YOU. QUESTIONS FOR STAFF? COMMENTS? MOTION BY MAYOR PRO TEM, MOVING APPROVAL OF ITEM NUMBER 82, SECONDED BY COUNCIL MEMBER LEFFINGWELL. I WILL JUST COMMENT THAT I ACTUALLY THINK THIS IS SORT OF A REMARKABLE SYNERGISTIC OPPORTUNITY FOR BOTH THE EFFICIENCIES OF THE TWO USES, THAT BEING THE SUBSTATION AND OUR MUNICIPAL COURT LOCATION, BUT ALSO JUST THE TIMING,

THE PRICE WORKING WITHIN OUR VOTER-APPROVED CONSTRAINTS, AND THE FACT AS MANY OF US KNOW WE SPEND A LOT OF TIME WORKING WITH THOSE ADJACENT NEIGHBORS ON A NUMBER OF ISSUES AND MY STRONG SUSPICION IS THEY WILL WELCOME HAVING THAT POLICE SUBSTATION THERE ADJACENT TO WHERE WE'VE HAD SO MANY OTHER ISSUES THE LAST FEW YEARS, SO WE HOPE THINGS WORK OUT. MOTION AND SECOND ON THE TABLE TO APPROVE ITEM NUMBER 82 AS PRESENTED BY STAFF. PUBLIC COMMENTS? HEARING NONE, ALL THOSE IN FAVOR, PLEASE SAY AYE. AYE. OPPOSED. MOTION PASSES ON A VOTE OF 5-0 WITH COUNCIL MEMBERS MARTINEZ AND McCRACKEN OFF THE DIAS. THANK YOU VERY MUCH. COUNCIL, THAT CONCLUDES OUR POTENTIAL DISCUSSION ITEMS THIS AFTERNOON. WE WILL NOW, WITHOUT OBJECTION, GO BACK INTO CLOSED SESSION PUNE TO SECTION 551.071. TO TAKE UP POTENTIAL LEGAL ISSUES, LEAGUE ADVISE REGARDING NUMBER 119, A LAWSUIT PODER, VERSUS THE CITY OF AUSTIN. ANTICIPATE THAT BEING OUR ONLY ITEM IN CLOSED SESSION THIS AFTERNOON. WE ARE NOW IN CLOSED SESSION AND ANTICIPATING US COMING BACK IN AN HOUR OR SO TO TAKE UP OUR AFTERNOON BRIEFING, THEN CONDUCT OUR AHFC BOARD MEETING AND THEN TAKE OUR 4:00 ZONING CASES. WE ARE NOW IN CLOSED SESSION. THANK YOU.

Mayor Wynn: THERE BEING A QUORUM PRESENT, AT THIS TIME I'LL CALL BACK TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL. WE'VE BEEN IN RECESS NOW FOR AN HOUR AND A HALF OR SO AFTER HAVING CONCLUDED OUR EXECUTIVE SESSION ITEMS FOR THE WEEK. AT THIS TIME WE'LL GO TO OUR AFTERNOON BRIEFING, WHICH WILL BE FOLLOWED BY OUR AUSTIN HOUSING FINANCE CORPORATION BOARD OF DIRECTORS MEETING, WHICH WILL THEN LEAD US INTO OUR ZONING CASES. OUR BRIEFING THIS AFTERNOON IS A STAFF PRESENTATION OF RECOMMENDATIONS FOR OUR CITY'S BOARDS AND COMMISSIONS, AND I'LL RECOMMEND OUR ASSISTANT CITY MANAGER.

THANK YOU, MAYOR. GOOD AFTERNOON. I THINK WE'RE -- HERE IT IS. MAYOR, THIS AFTERNOON WE'RE GOING TO BE GIVING YOU A BRIEFING ON SOME RECOMMENDATIONS

REGARDING THE RESTRUCTURING OF OUR BOARDS AND COMMISSIONS. THE CITY COUNCIL KNOWS, THE CITY OF AUSTIN ENJOYS THE BENEFITS OF HAVING VERY INTERESTED AND COMMUNITY MINDED CITIZEN WATER AND WASTEWATER A STRONG DESIRE TO DROIBT THEIR COMMUNITY -- TO CONTRIBUTE TO THEIR COMMUNITY. WE CURRENTLY HAVE 55 VOLUNTEER BODIES THAT MEET REGULARLY AND WE HAVE MORE THAN 450 DEDICATED CITIZENS KNIT COMITTED TO INCREASING CITIZEN INPUT IN THE PROCESS. HOWEVER, OVER MANY YEARS WE'VE EXPERIENCED MANY INCONSISTENCIES AND WE BELIEVE THESE WILL HELP UTILIZE THESE VALUABLE RESOURCES IN A MORE PRODUCTIVE WAY. ON APRIL THE FIFTH, 2009, THE CITY COUNCIL PASS ADD RESOLUTION CREATE AGRICULTURE SPECIFIC TASKFORCE FOR REVIEW THE ORGANIZATION AND OPERATION OF THE CITY'S BOARD AND COMMISSION SYSTEM. THE TASKFORCE WAS CHARGED WITH THE FOLLOWING DUTIES. CONDUCT A SURVEY OF CURRENT BOARD AND COMMISSION MEMBERS ON ISSUE AND AREAS OF CONCERN, REVIEW EXISTING ORDINANCES GOVERNING THE BOARDS AND COMMISSION SYSTEM, REVIEW THE OVERALL ORGANIZATION OF THE COMMITTEE'S BOARD AND COMMISSIONS, INCLUDING THE EXTENT TO WHICH THE COMMISSION OR JURISDICTION OF EXISTING BOARD OR COMMISSIONS MAY OVERLAP. REVIEW THE OVERALL OPERATIONS OF THE CITY'S BOARD AND COMMISSION, INCLUDING MANAGEMENT, STAFFING, LOGISTICS, COSTS ASSOCIATED WITH OPERATIONS, FILING OF WORK PLANS, ANNUAL REPORTS AND BUSINESS PROCESS FLOW. AND ALSO ON CITIZEN SERVICE ON PUBLIC BOARDS AND COMITIONZ, WHICH MAY INCLUDE RESIDENCY, FINANCIAL DISCLOSURES, ATTENDANCE REQUIREMENTS AND OTHER RESTRICTIONS. IN ADDITION, ALSO REVIEWING POLICIES AND PROCEDURES GOVERNING THE CREATION OF NEW BOARDS AND THE PROCESS BY WHICH CITIZENS APPLY AND THEN MAKE SPEFB RECOMMENDATIONS TO THE CITY COUNCIL ON PROPOSED REVISIONS TO THE ORDINANCE AND RESOLUTION GOARCHING THE OVERALL BOARDS AND COMMISSION'S PROCESS, MAXIMIZING THE PERFORMANCE OF THE BORE, PROMOTING CITIZEN SERVICE, ESTABLISHING NEW BOARDS, AND A VARIETY OF OTHER ISSUES. THE TASKFORCE STUDIED THE ISSUE FOR TWO YEARS AND ON

OCTOBER THE 28TH, 2003, PRESENTED A 58 PAGE REPORT ON THEIR FINDINGS AND RECOMMENDATIONS. AS PART OF THE TASKFORCE WORK, OVER 800 CURRENT AND PAST BOARD MEMBERS WERE SURVEYING IN 2002. 36 PERCENT OR 288 RESPONSES WERE RECEIVED AND ANALYZED BY THE CITY AUDITOR. SO BOTH THE TASKFORCE REPORT AND STAFF RECOMMENDATIONS BEFORE YOU TODAY ARE BASED ON THE FEEDBACK THAT WE RECEIVED IN THAT SURVEY. BRINGING US FORWARD TO APRIL THE FIFTH OF 2007, THE CITY COUNCIL PASSED A RESOLUTION DIRECTING THE CITY MANAGER TO REVIEW THE DRAFT ORDINANCE PRESENTED BY COUNCIL OFFICES. THIS ORDINANCE INCORPORATED MANY OF THE 45 RECOMMENDATIONS MADE IN THE 2003 REPORT. AND THE CITY MANAGER WAS DIRECTED TO COME BACK WITH RECOMMENDATIONS AND THAT'S WHAT WE HAVE BEFORE YOU TODAY. DURING THE PAST SIX MONTHS WE HAVE HAD NUMEROUS MEETINGS ENSURING CONCERNS HAVE BEEN MET AND DETERMINING HOW WE CAN STANDARDIZE THE BOARDS. WE'VE DONE A LOT OF RESEARCH INTO THE LEGAL ISSUES REGARDING SOME OF THE PROPOSED CHANGE. THE CITY CLERK HAS DONE A LOT OF WORK ON THE HISTORY AND THE CURRENT MAKE OF THE BOARDS AND THEN WE'VE TASKED HUMAN RESOURCES DEVELOPMENT TO GET CREATIVE AND COME UP WITH A TRAINING PROGRAM FOR HOW WE COULD SET UP SOME TRAIN FOR OUR BOARDS AND OUR STAFF. WE EVEN WENT TO THE EXTENT OF MEETING WITH THE DEPARTMENT LIAISONS WHO WORK WITH THE BOARDS EVERYDAY AND ASKED THEM TO REVIEW PROPOSED CHANGES AND GIVE US ANY FEEDBACK. WE'VE TRIED TO INCORPORATE THAT AS WELL. SO WHAT WE HAVE BEFORE YOU TODAY IS A COMPILATION OF THESE IDEAS. WHAT WE WANT TO MAKE SURE AND MENTION TO YOU IS THAT THESE RECOMMENDATIONS FOR THE MOST PART WE BELIEVE -- THEY ARE GOING TO BE IMPLEMENTED FOR MOST OF THE BOARDS, BUT THERE ARE GOING TO BE SOME EXCEPTIONS. THE REASON BEING IS BECAUSE WE DO HAVE SOME BOARDS WHERE STATE, FEDERAL OR CHARTER PROHIBITS SOME OF THESE EXCLUDED BOARDS FROM BEING STANDARDIZED. BUT WE DO BELIEVE THAT IMPLEMENTATION SHOULD MAKE THE PROCESS MORE TRANSPARENT AS IT MOVES US TOWARD CONSISTENCY IN NOT ONLY BOARD

MAKEUP, BYLAWS AND PROCEDURES, A REVIEW PROCESS TO ENSURE BOARDS CONTINUE TO BE EFFECTIVE AND FOCUS ON THEIR MISSION AND ESTABLISHES A TRAINING BOARD MEMBERS FELT WAS CRITICAL. SO GETTING ON TO THE SPECIFIC RECOMMENDATIONS, STAFF IS RECOMMENDING THE FOLLOWING DEFINITIONS TO BE APPROVED: A BOARD WOULD MEAN A PERSONAL ADVISORY OR DECISION MAKING BODY AND HAVING LIFE FOR MORE THAN THREE YEARS THAT WOULD BE ESTABLISHED BY CHARTER, ORDINANCE OR COUNCIL AGREEMENT. CURRENT BOARDS WOULD RETAIN THEIR NAMES UNTIL A NAME CHANGE IS REQUESTED BY THE BODY. BUT FUTURE BODIES WOULD BE CALLED A BOARD UNLESS, AGAIN, FEDERAL OR STATE LAW REQUIRE THEM TO BE NAMED SOMETHING DIFFERENT. TASKFORCES WOULD MEAN A NON-CODIFIED TEMPORARY ADVISORY BODY ESTABLISHED BY THE DISPOWNER A SPECIFIC PURPOSE THAT EXPIRES UPON THE COMPLETION OF ITS ASSIGNED TASK OR ACCORDING TO A SPECIFIED DEADLINE. ONE OF THE THINGS WE WILL BE DOING IS CREATING A TEMPLATE THAT OFFICES CAN USE AS A GUIDE TO DETERMINE WHETHER A NEWLY CREATED BODY SHOULD BE A TASKFORCE OR A BOARD, WHICH WE BELIEVE WILL BE EXTREMELY HELPFUL. ON THE ISSUE OF SIZE AND QUORUM, STAFF PROPOSES TO IMPLEMENT THE FOLLOWING CHANGES: A BOARD WOULD CONSIST OF SEVEN MEMBERS UNLESS STATE OR FEDERAL REGULATIONS OR CITY CHARTER PREVAIL. ON SEVEN-MEMBER BOARDS, EACH COUNCIL OFFICE WOULD NOMINATE ONE MEMBER. COUNCIL WILL APPROVE OR CONFIRM THE MEMBERS BY A MAJORITY VOTE AS IT IS A CURRENT PROCESS. ON ANY BOARD REQUIRED TO BE MORE OR LESS THAN SEVEN MEMBERS, WE WOULD ASK THAT YOU CONSIDER THAT THE MAYOR NOMINATE THE POSITION SUBJECT TO CONFIRMATION BY COUNCIL. A MAJORITY OF THE TOTAL NUMBER OF AUTHORIZED BOARD MEMBERS CONSTITUTES A QUORUM FOR THE CONDUCT OF BUSINESS AND IN THE CASE AFTER SEVEN-MEMBER BOARD, FOUR MEMBERS OBVIOUSLY WOULD EXECUTE WITHOUT A QUORUM. ANOTHER THING TO POINT OUT IS TO BE EFFECTIVE A BOARD ACTION MUST BE ADOPTED BY AFFIRMATIVE VOTE, THE NUMBER OF MEMBERS NECESSARY TO PROVIDE A QUORUM. FOR EXAMPLE, IF WE WERE TO HAVE THREE VACANCIES, ONLY FOUR MEMBERS AVAILABLE,

THEN THE ITEM WOULD HAVE TO BE PASSED UNANIMOUSLY. -- POSITIVE WE HAVE TO BE PASSED UNANIMOUSLY. ON THE ISSUE OF MEMBER QUALIFICATIONS, EXCEPT WHERE STATED OTHERWISE AGAIN BY FEDERAL OR STATE OR CITY CHARTER, THE BOARD COMPOSITION AND MEMBERSHIP QUALIFICATIONS WOULD BE DIRECTORY AND NOT MANDATORY. FOR EXAMPLE, THE AIRPORT ADVISORY COMMISSION WOULD NO LONGER BE REQUIRED TO HAVE A PILOT; HOWEVER, COUNCIL WOULD STILL HAVE THE PREROGATIVE TO APPOINT SOMEONE WITH THOSE QUALIFICATIONS, BUT ACCORDING TO OUR RECOMMENDATIONS, IT WOULD NO LONGER BE MANDATORY. COUNCIL WILL ATTEMPT TO FILL THE POSITIONS AS SPECIFIED, THE PRIMARY GOAL THROB MAKE SURE THAT THE POSITIONS ARE FILLED SO THE BOARD CAN HAVE A QUORUM TO CONDUCT BUSINESS AND FULFILL THEIR MISSION STATEMENT. THE CITY MANAGER WILL BE ABLE TO APPOINT SOMEONE AT THE EXECUTIVE LEVEL THAT WILL BE CALLED A LIAISON TO SUPPORT EACH BODY THAT IS CREATED. IN ADDITION, THE DEPARTMENT DIRECTOR WILL APPOINT SOMEONE FROM THEIR ADMINISTRATIVE STAFF TO HELP PREPARE AGENDAS, POST MEETING NOTICES, MAINTAIN MINUTES, KEEP ATTENDANCE RECORDS AND SO FORTH. IN ELIGIBILITY WE REQUIRE THAT THE RESIDENTS MUST BE A REDENT OF THE CITY UNLESS EXEMPTED BY STATE OR FEDERAL LAW. AND WE CURRENTLY REQUIRE THEM TO BE A RESIDENT AND TO SERVE ON MORE THAN ONE CITY ESTABLISHED BOARD UNLESS REQUIRED -- I THINK -- WE CURRENTLY REQUIRE THAT CITIZENS -- THAT SIT ENS BE A RESIDENT OF THE CITY, SO WE DO HAVE SPECIFIC ELIGIBILITY REQUIREMENTS. LIKE, FOR EXAMPLE, THAT THEY CAN....CAN'T BE A REGISTERED..ED LOBBYIST. WHAT WE RECOMMEND IS THAT WE KEEP THE ELIGIBILITY REQUIREMENTS IN THERE AND THEN WE PROPOSE THE FOLLOWING ELIGIBILITY REQUIREMENTS, WHICH THROUGH CLU THE FOLLOWING: CITIZENS APPOINTED TO A BOARD MUST COMPLETE A WRITTEN APPLICATION AND HAVE IT ON FILE WITH THE CITY. THE PERSON IS NOT ELIGIBLE TO BEGIN SERVICE UNTIL THE PERSON HAS SIGNED A WRITTEN ACKNOWLEDGMENT STATING THAT THEY HAVE RECEIVED A COPY OF THE CITY'S ETHICS AND PERSONAL RESPONSIBILITY GUIDELINES AND TAKEN THE OATH OF

OFFICE. AND THEN ALSO THE APPOINTEES MUST COMPLETE THE REQUIRED TRAINING THAT WE WILL TALK ABOUT LATER WITHIN 90 DAYS OF APPOINTMENT. UNDER THE LENGTH OF TERMS, STAFF PROPOSES STANDARD..... STANDARDIZING LENGTH OF TERMS AND LINKING COUNCILMEMBERS TO THEIR APPOINTEES WITH THE FOLLOWING CHANGES: BOARD MEMBERS WOULD BE APPOINTED FOR A TERM OF THREE YEARS. THE TERM OF OFFICE FOR EACH BOARD MEMBER WOULD RUN CONCURRENTLY WITH THE TERM OF OFFICE FOR THE COUNCILMEMBER THAT MAKES THAT APPOINTMENT. ALL BOARD MEMBERS WOULD BE LIMITED TO SERVING NO MORE THAN NINE CONSECUTIVE YEARS. IT IS IMPORTANT TO KNOW THAT AFTER SERVING NINE CONSECUTIVE YEARS, MEMBERS ARE INELIGIBLE FOR REAPPOINTMENT TO THE SAME BOARD EXCEPT MEMBERS CAN BE REAPPOINTED AFTER SITTING OUT A TERM OF TWO YEARS. -- A TERM OF TWO YEARS. HOWEVER, AN ELIGIBLE BOARD MEMBER MAY BE APPOINTED TO A DIFFERENT BOARD AT ANY TIME. TO GIVE YOU AN ASSESSMENT OF HOW WE ENVISION THIS TO WORK, FOR THOSE COUNCILMEMBERS THAT WOULD BE ELECTED UNDERSTAND MAY OF 2008, THEY WOULD BE REQUIRED TO MAKE APPOINTMENTS OR REAPPOINT EXISTING MEMBERS. THE SAME WOULD HOLD TRUE FOR THE FOLLOWING YEAR. IN MAY OF 2009, THE SAME THING WILL OCCUR WHEN THE REMAINING COUNCILMEMBERS ARE ELECTED. AND WE ESTIMATE THAT BY MAY OF 2009 THE TRANSITION TO SEVEN WILL BE COMPLETED WITHOUT ASKING ANY BOARD MEMBER TO RESIGN. AND WE WOULD PROPOSE THE TERMS WOULD START AUGUST THE 1ST. THAT WAY GIVING EITHER INCUMBENT OR NEWLY ELECTED COUNCILMEMBERS TIME TO COMPLETE THE APPOINTMENTS FROM WHEN THEY FIRST TAKE OFFICE. A MEMBER WHO BECOMES INELIGIBLE TO SERVE MAY CONTINUE TO SERVE FOR NO MORE THAN 60 DAYS OR UNTIL THE POSITION HAS BEEN REFILLED, WHICHEVER IS SHORTER. AND WITH THE PASSAGE OF THIS ORDINANCE, ALSO FOR CURRENT MEMBERS, THE TERMS WOULD BE REDUCED TO ZERO AND THE NINE-YEAR TERM LIMIT WOULD BEGIN. ON THE ISSUE OF FINANCIAL REPORTING, AT THE PRESENT TIME ALL 55 BOARDS AND COMMISSIONS ARE REQUIRED TO SUBMIT A PERSONAL FINANCIAL REPORT. STAFF IS RECOMMENDING LIMITING

FINANCIAL REPORTING REQUIREMENTS TO THOSE BOARDS THAT HAVE AUTHORITY TO EITHER REVIEW CITY CONTRACTS OR INVOLVED IN LAND DEVELOPMENT ACTIVITIES, AND THEY INCLUDE THE FOLLOWING: THE ZONING AND PLANNING COMMISSION, THE PLANNING COMMISSION, THE SOLID WASTE ADVISORY COMMISSION, THE ENVIRONMENTAL BOARD, THE WATER AND WASTEWATER COMMISSION, THE ARTS COMMISSION, BOARD OF ADJUSTMENT, HISTORICAL LANDMARK, HOUSING AUTHORITY, PARKS AND RECREATION AND THE URBAN RENEWAL AGENCY. IT IS IMPORTANT TO NOTE ALL OF THESE BOARDS EXCEPT FOR THE HOUSING AUTHORITY ARE INCLUDED IN THE PROPOSED DRAFT ORDINANCE AND WOULD BE SUBJECT TO ALL THE PROPOSED RECOMMENDATIONS. STAFF RECOMMENDS THAT THE HOUSING AUTHORITY BE REQUIRED TO COMPLY WITH THE FINANCIAL REPORTING GUIDELINES ONLY. WE WANT A SMALL NUMBER OF BOARD AND COMIG MEMBERS FILLING OUT CONFLICT OF INTEREST FORM. WE WANT THE BOARD MEMBERS TO FILE A CONFLICT OF INTEREST STATEMENT WITH THE DEPARTMENT AT LEAST TWO DAYS BEFORE MEETING. A SIMILAR PROCESS THAT IS UNDERTAKEN WITH THE CITY COUNCIL, ESPECIALLY WHEN THEY KNOW THAT THAT ITEM IS GOING TO BE COMING UP AT AN UPCOMING MEETING, THAT THEY WOULD RECUSE HIM OR HERSELF FROM ANYTHING ON THE AGENDA ITEM CREATING THE CONFLICT, LEAVE THE MEETING ROOM DURING ANY DISCUSSION, DELIBERATION OR ACTION REGARDING THE CONFLICT. ALL OF THESE WILL BE PART OF THE TRAINING FOR BOARD MEMBERS AND STAFF AS WELL. AND THEN STAFF IS ALSO RECOMMENDING AT EACH MEETING A BOARD MEMBER SIGN AN ATTENDANCE SHEET THAT WILL INDICATE WHETHER THE BOARD MEMBER HAS NO CONFLICT OF INTEREST RELATED TO ANY ITEM ON THE AGENDA OR THE NUMBER OF AN AGENDA ITEM FOR WHICH THE BOARD MEMBER HAS A CONFLICT. IF A BOARD MEMBER MISSES THREE CONSECUTIVE MEETINGS FOR REASONS OTHER THAN SERIOUS INJURY OR ILLNESS MAKING IT UNABLE FOR THEM TO ATTEND, THEY AUTOMATICALLY VACATE THE POSITION. HOWEVER, THIS WOULD NOT APPLY IF A MEMBER NOTIFIES IN WRITING THE STAFF LIAISON THE REASON FOR THE AN BE SENSE NO LATER THAN THE DATE OF THE NEXT

MEETING OF THE BOARD. FOR THOSE NOT IN COMPLIANCE, THE CITY CLERK WOULD NOTIFY THE NOMINATING COUNCIL OFFICE THAT A NEW APPOINTMENT WOULD BE NEEDED AND THE MEMBER WOULD BE ON HOLDOVER POSITION FOR 30 DAYS WHILE THE COUNCIL OFFICE APPOINTS A NEW MEMBER. GIVING TIME FOR THE REAPPOINTMENT PROCESS TO TAKE PLACE. IF ANOTHER PERSON IS NOT FOUND TO SERVE DURING THIS TIME, THEN THE POSITION BECOME VACANT. ON THE ISSUE OF THE BYLAWS, WE DID PROVIDE YOU A TEMPLATE OR A COPY OF PROPOSED BYLAWS. I BELIEVE YOU SHOULD FIND THAT AS EXHIBIT B. SO WHAT WE HAVE PROPOSED IS CREATE A STANDARD SET OF BYLAWS FOR ALL BOARDS. THESE BYLAWS INCLUDE THE BOARD SHALL ANNUALLY SELECT FROM ITS MEMBERSHIP ITS REQUIRED OFFICERS, THAT THEY WOULD HAVE ELECTIONS TO BE HELD AT THE LAST REGULAR MEETING OF THE PRECEDING CALENDAR YEAR. THE CHAIR WOULD SERVE FOR NO MORE THAN TWO ONE-YEAR TERMS OR UNTIL A SUCCESSOR IS ELECTED. THE BOARD WOULD ESTABLISH COMMITTEES. THE COMMITTEES WOULD BE NAMED. THE RESPONSIBILITY DESCRIBED IN BYLAWS AND OTHER RECOMMENDED PROVISIONS, INCLUDING MEETING REQUIREMENTS, HOW TO SET AND POST AGENDAS, ROBERT'S RULES OF ORDER AND AN ANNUAL REVIEW OF CERTAIN BOARDS. AND THEN WE'VE ALSO EVEN GONE INTO HOW CHANGES TO THE BYLAWS COULD OCCUR WHICH COULD ONLY BE MADE AFTER THE APPROVAL OF THE AUDIT AND FINANCE COMMITTEE AND THAT THEY MAY BE REQUESTED DURING AN ANNUAL REPORT PROCESS. AND CHANGE WOULD BE REQUESTED DURING THAT PROCESS AND STAFF RECOMMENDS THAT ALL BOARDS ADOPT THE STANDARD SET OF BYLAWS WITHIN 45 DAYS OF PASSAGE OF THE ORDINANCE. UNDER THE MEETING REQUIREMENTS, EACH AGENDA SHOULD PROVIDE FOR GENERAL CITIZEN COMMUNICATION. EACH BOARD SHALL KEEP ACTION MINUTES. THEY WOULD NOT MEET LESS THAN FREQUENTLY AN QUARTERLY. BOARDS MAY NOT CONDUCT A CLOSED MEETING WITHOUT THE PRIOR WRITTEN APPROVAL OF THE CITY ATTORNEY. THE CLERK SHALL POST EACH BOARD MEMBER AGENDA AND KEEP A RECORD OF POSTINGS FOR THE BOARD MEETINGS. UNDER THE ANNUAL REVIEW, STAFF IS PROPOSING A THREE-TIERED REVIEW PROCESS THAT

ENSURES THE BOARDS ARE FUNCTIONING EFFICIENTLY AND EFFECTIVELY. THE COUNCIL AUDIT AND FINANCE COMMITTEE WILL DETERMINE WHICH BOARDS WILL BE REQUIRED TO PARTICIPATE IN A REVIEW PROCESS. REQUIRED BOARDS WILL COMPLETE A SELF ASSESSMENT AND THEN PREPARE AN ANNUAL REPORT AT ONE OF THEIR REGULAR MEETINGS DURING THE FIRST QUARTER OF THE CALENDAR YEAR. NOT ALL BOARDS WOULD BE INVOLVED, ESPECIALLY THOSE THAT HAVE SPECIFIC ASSIGNMENTS LIKE, FOR EXAMPLE, AN APPEALS BOARD. THE ANNUAL REPORT WILL HAVE TWO PARTS, THE WORK PLAN WILL INCLUDE GOALS AND OBJECTIVES FOR THE NEXT PLAN YEAR FOCUS ON LONG RANGE STRATEGIC ISSUES, PROPOSED ACTIVITIES TO ACHIEVE THE BOARD'S GOALS AND OBJECTIVES, ANY REQUESTS FOR REVISIONS TO THE BOARD'S BYLAWS AS WAS MENTIONED EARLIER, AND THEN PROCEDURES AND MISSION STATEMENT. THE ANNUAL REVIEW PORTION WILL INCLUDE THE FOLLOWING: A SUMMARY OF THE BOARD'S ACTIVITIES FOR THE PREVIOUS YEAR, INCLUDING GOALS AND OBJECTIVES THAT WERE ACHIEVED. POSTED AGENDAS HELD DURING THE PREVIOUS YEAR. APPROVE MINUTES. EACH RESOLUTION OR WRITTEN RELIQUISHED SENT TO THE CITY COUNCIL. A RESOLUTION THAT THE BOARD SHALL CONTINUE OPERATION, BE DISSOLVED OR HAVE ITS DUTIES AND RESPONSIBILITIES MODIFIED OR TRANSFER THE BOARD'S FUNCTIONS TO ANOTHER BOARD. AND THEN WE ALSO HAVE AN AREA HERE WHERE WE WOULD ASK FOR SOME DISCRETION IN USING A FACILITATOR THAT CAN COME FROM THE BOARD OR THE STAFF LIAISON FOR CONDUCTING THE REVIEW. THE BOARD SHOULD SELF ASSESS THEIR ACTIONS TO DETERMINE THEY WERE IN COMPLIANCE WITH THEIR MISSION STATEMENT AND WHETHER THEY ACHIEVE THEIR GOALS AND OBJECTIVES DESCRIBED IN THE PREVIOUS WORK PLAN. ALSO LOOKING AT WHETHER THEY'VE INVITED PUBLIC INPUT AND RECORDED THOSE COMMENTS AND WHETHER THEY INVOLVE STAFF SOLICITING FEEDBACK. AND THAT STAFF WOULD PRESENT AN OPPORTUNITY TO PRESENT THE DEPARTMENT'S ANNUAL BUDGET AND BUSINESS PLAN PRIOR TO THE REVIEW TO THE WORK PLAN COINCIDES WITH THE DEPARTMENT'S GOALS. AND WHAT WOULD HAPPEN THEN IS THAT EACH COUNCIL OFFICE WOULD REVIEW THE

REPORTS GENERATED DURING THE ANNUAL REVIEWS AND IF A PROBLEM IS NOTED, IT WOULD BE REFERRED TO THE COUNCIL AUDIT AND FINANCE COMMITTEE TO BE INCLUDED IN THE SERVICE PLAN. THE CITY AUDIT WILL PRESENT THE RESULTS TO THE COUNCIL AUDIT AND FINANCE COMMITTEE WHO WILL CONSIDER FURTHER REVIEWMENT THE REVIEW WILL CONSIST OF AN ORAL OR WRITTEN PREPARATION FROM THE BOARD'S CHAIR ON THE BOARD'S 'S PERFORMANCE. AFTER THE REVIEW THE COMMITTEE SHALL MAKE A RECOMMENDATION TO COUNCIL TO EITHER CONTINUE, MODIFY OR DISSOLVE THE BOARD. IN THE AREA OF TRAINING, STAFF PROPOSES MANDATORY TRAINING FOR ALL BOARD AND COMMISSION MEMBERS WHICH REQUIRES THE REQUIRED ATTORNEY GENERAL'S TRAINING. ALL NEW BOARD MEMBERS WOULD BE REQUIRED TO COMPLETE THE TRAINING WITHIN 90 DAYS OF THEIR APPOINTMENT. TRAINING INCLUDE AN INTRODUCTION TALKING ABOUT THE AUSTIN FORM OF GOVERNMENT, THE CITY'S VISION AND VALUES, THE GOALS AND RESPONSIBILITIES, BUSINESS PLANNING, ETHICS REVIEW, OPEN MEETINGS ACT, ROBERT'S RULES OF ORDER, CONFLICT MANAGEMENT, WHICH WILL DESCRIBE THE CAUSES OF CONFLICT AND TIPS FOR MANAGING CONFLICT. AND WHAT WE WOULD PROPOSE IS THAT THERE WOULD BE A TOTAL OF EIGHT TRAINING MODULES. THE TOTAL TRAINING TIME IS APPROXIMATELY THREE AND A HALF HOURS. EACH BOARD AND COMMISSION MEMBER WILL RECEIVE A STUDY GUIDE TO HAVE SOMETHING TO REFER TO LATER. STAFF PROPOSES TRAINING DAYS AT CITY HALL WHERE COMPUTER STATIONS WOULD BE AVAILABLE AND MAKE THIS AS SURE AS WE CAN. AND THEN WHAT WOULD HAPPEN IS AT THE END OF THE EIGHTH MODULE, THE MEMBER WILL BE PRESENT ADD CODE, WHICH COULD EASILY BE E-MAILED, CALLED IN OR WALKED IN TO THE CITY CLERK'S OFFICE AND PRESENT THE CODE AS PROOF THAT THEY HAVE COMPLETED THE TRAINING. IN ORDER TO KEEP EACH MEMBER UP TO DATE WITH THE TRAINING THEY RECEIVED, WE WOULD REQUIRE EACH MEMBER TO TAKE ONE HOUR REFRESHER COURSE FOR EACH SUBSEQUENT YEAR AFTER THEIR INITIAL TRAINING THEY SERVE ON THE BOARD. IT WOULD BE THE RESPONSIBILITY OF THE CITY CLERK TO KEEP TRACK RECORDS OF ALL BOARD MEMBERS COMPLETING THEIR

TRAINING AND NOTIFY THE COUNCIL OFFICES ACCORDINGLY. STAFF WHO SUPPORT THE BOARDS AND COMMISSIONS WOULD ALSO BE REQUIRED TO RECEIVE THE SAME TRAINING PROPOSED FOR THE BOARD MEMBERS WITHIN 90 DAYS AFTER PASSAGE OF THE ORDINANCE AS WELL. IN ADDITION, WE WOULD BE BE ALSO TRAINING THEM IN OTHER SPECIFIC ROLES AND RESPONSIBILITIES WHICH MAY INCLUDE LIKE PREPARING AND POSTING AGENDAS, MINUTES, BOARD ACTION, ATTENDANCE AND OTHER SPECIFIC DUTIES. IN THE AREA OF IMPLEMENTATION, ALL BUT ONE OF THE RECOMMENDATIONS CAN BE IMPLEMENTED IMMEDIATELY AND AT NO ADDITIONAL COST. TRAINING IS THE ONLY ONE THAT WOULD -- WOULD NOT BE REQUIRED -- TRAINING IS THE ONLY ONE THAT WE HAVE SEEN SOME COST. IT WOULD NOT BE REQUIRED OF CURRENT AND FUTURE BOARD MEMBERS UNTIL 45 DAYS AFTER THE PASSAGE OF THE ORDINANCE. AND SPECIFICALLY THE REASONS FOR THAT IS BECAUSE WE'RE STILL CURRENTLY WORKING ON ALL OF OUR MODULES. THEY'RE CURRENTLY UNDER DEVELOPMENT. SOME OF THEM NEED TO BE TWEAKED BASED ON THE FINAL WORDING OF THE ORDINANCE THAT COUNCIL WOULD BE APPROVED IF COUNCIL CHOOSES TO DO SO. AND WE CURRENTLY HAVE SOME MODULES THAT HAVE BEEN COMPLETED. WE STILL HAVE SEVERAL WHERE SCRIPTS HAVE EITHER HAVE TO BE FINALIZED OR APPROVED AND WE HAVE SEVERAL MORE WHERE WE HAVE SCHEDULED FOR PRODUCTION AND SHOULD BE COMPLETED SOON. WHAT ARE THE NEXT STEPS? THE NEXT STEPS WITH THESE PROPOSALS ARE SHOULD COUNCIL WISH FOR US TO PROCEED IS TO PRESENT OUR RECOMMENDATIONS TO THE ETHICS COMMISSION AND SPECIFICALLY WE WOULD PRESENT THE FINANCIAL REPORTING AND CONFLICT OF INTEREST PROPOSAL. THEN, WE WOULD PLAN TO HAVE A PUBLIC HEARING ON NOVEMBER THE 8TH FOR CITIZEN INPUT. FINALLY, WE WOULD BRING THE ORDINANCE BACK TO COUNCIL FOR YOUR CONSIDERATION SOON THEREAFTER. MAYOR AND COUNCIL, THIS CONCLUDES STAFF'S PRESENTATION ON OUR RECOMMENDATIONS FOR RESTRUCTURING OUR BOARDS AND COMMISSIONS PROCESS. I WILL TELL YOU THAT EVEN THOUGH THIS HAS BEEN A VERY COMPLEX REVIEW WITH MANY, MANY 10 IN A

KELS ASSOCIATED WITH IT, WE BELIEVE THAT THESE RECOMMENDATIONS WILL BRING ABOUT VERY MANY POSITIVE CHANGES AND WE BELIEVE THAT THESE ARE GOOD REPRESENTATIONS; HOWEVER, WE CERTAINLY ARE WELCOME TO YOUR FEEDBACK AND OPEN TO ANY QUESTIONS THAT YOU MAY HAVE.

Mayor Wynn: THANK YOU. I JUST WANT TO NOTE THAT IT WAS ABOUT 2009 OR SO THAT WE FIRST STARTED TALKING ABOUT THIS AND I APPRECIATE YOU ALL FINALLY STRUGGLING WILL THROUGH IT AND BRING US SOME ACTION ITEMS ON THIS ISSUE. QUESTIONS? COUNCILMEMBER MARTINEZ?

Martinez: I JUST WANTED TO ASK YOU A QUESTION ABOUT WE HAVE ONE OF OUR COMMISSIONS YOU SERVE ORGANIZATION THE ANIMAL ADVISORY COMMISSION. AND I WANTED TO SEE IF YOUR PROPOSED CHANGES WOULD SPEAK TO THE ISSUE OF HAVING SUCH A HIGH LEVEL ADMINISTRATOR ACTUALLY TAKING VOTES ON POLICY RECOMMENDATIONS TO COUNCIL. IT JUST SEEMS LIKE THAT'S CONTRARY TO EVERYTHING ELSE WE DO AND WANTED TO KNOW IF SOME OF THE CHANGES WOULD SPEAK TO THAT.

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Mayor Wynn: THIS IS YOUR BIG CHANCE TO GET OFF THE COMMISSION [LAUGHTER]

TAKE IT AND RUN.

IF YOU WOULD LIKE FOR MY PERSONAL POSITION, I WOULD SAY THAT IT DEFINITELY SEEMS TO ME LIKE IT IS A CONFLICT. AS A MATTER OF FACT, IF YOU LOOK AT ALL OF OUR BOARDS AND COMMISSIONS, THAT IS THE ONLY ONE BOARD WHERE THAT IS REQUIRED. AND SO FROM THAT STANDPOINT I THINK IT'S INCONSISTENT. AND IF YOU WERE TO ASK ME PERSONALLY, I THINK IT WOULD BE GREAT IF SOMEONE ELSE WERE TO SERVE RATHER THAN ME. [LAUGHTER] BUT I'M I'M NOT SURE IF THAT'S... SOMETHING WE NEED TO ADDRESS WITH YOU, IF THAT'S A SPECIFIC REQUIREMENT UNDER SOME CHAPTER IN THE

CODE OR A STATE REQUIREMENT, BUT IF I HAD A CHOICE, THEN I THINK IT WOULD BE A GREAT OPPORTUNITY FOR SOMEONE ELSE TO SERVE BECAUSE OF THAT. AND YOU'VE HIT IT RIGHT ON THE HEAD.

Martinez: I THINK THE STATE HEALTH CODE DOES REQUIRE A CITY OF AUSTIN OFFICIAL TO SERVE, IT JUST -- I DON'T THINK IT SPEAKS TO A SPECIFIC POSITION. MAYBE THERE'S SOME ADDITIONAL INFORMATION FROM LAW.

YOU'RE CORRECT. THE STATE LAW DOES REQUIRE EITHER A CITY OR COUNTY OFFICIAL TO BE ON THE BOARD, BUT IT DOESN'T SPECIFICALLY SAY WHAT OFFICIAL. SO THERE IS SOME LATITUDE THERE.

Martinez: ALL RIGHT. SO WHOEVER'S NOT HERE, GETS IT, RIGHT? [LAUGHTER] I WOULD JUST LIKE TO SEE US MAYBE LOOK AT EITHER A COUNTY OFFICIAL OR A DIFFERENT CITY OFFICIAL. I THINK I APPRECIATE YOU SERVING IN THAT POSITION, BUT IT PUTS NEW A TOUGH SPOT SOMETIMES WHEN YOU'RE VOTEOPOLICY RECOMMENDATIONS TO THE COUNCIL. AND I'D LIKE TO SEE IF WE CAN INCORPORATE SOME CHANGES THAT PROVIDE A DIFFERENT OPPORTUNITY FOR SOMEONE ELSE ON CITY STAFF TO SERVE IN THAT POSITION.

Mayor Wynn: FURTHER COMMENTS? COUNCILMEMBER LEFFINGWELL.

Leffingwell: WELL, BE FIRST I WANT TO THANK YOU FOR TAKING ON THIS TASK. I CAN SEE FROM THE SIZE OF THE HANDOUT HERE IT'S BEEN A LOT OF WORK. AND IT'S SOMETHING, AS THE MAYOR POINTED OUT, THIS ACTUALLY STARTED IN 2009 WITH THE APPOINTMENT BY THE COUNCIL TO LOOK AT BOARDS AND COMMISSIONS. THEY SAT FOR TWO YEARS OR SO AND MADE A LOT OF RECOMMENDATIONS. I BELIEVE FORMER COUNCILMEMBER SPELMAN WAS CHAIR OF THAT TASKFORCE AND THEN THE RECOMMENDATIONS JUST KIND OF SAT FOR A FEW YEARS UNTIL WE PICKED THEM UP THIS YEAR. I THINK THE RECOMMENDATIONS YOU'VE OUTLINED WILL BE CONSTRUCTIVE AND PRODUCTIVE. I HAVE ONE VERY SUBTLE SUGGESTION THAT YOU MIGHT INCORPORATE INTO

YOUR PRESENTATION. AND THAT WOULD TO BE HIGHLIGHT THOSE ITEMS THAT WERE ACTUALLY PROPOSED BY THE TASKFORCE THAT SAT. IF YOU CAN SINGLE THOSE OUT. SO WE KNOW WHERE THOSE RECOMMENDATIONS CAME FROM. RIGHT NOW IT'S KIND OF HARD TO GUESS WHETHER THEY'RE ALREADY EXISTING. I THINK YOU INDICATED IF THE COUNCIL WANTS YOU TO PROCEED, YOU'LL START ON THAT PROCESS OF GOING TO THE ETHICS REVIEW COMMISSION AND THEN BACK TO COUNCIL. WE'RE NOT POSTD FOR ANY ACTIONS. DOES THAT CONSTITUTE AUTHORITY TO GO AHEAD?

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Mayor Wynn: WITHOUT OBJECTION? TECHNICALLY WE'RE NOT POSTED FOR ACTION, I GUESS. I'D HOPE WITH MR. SMITH'S CONSENT, I JUST WOULD THINK WITHOUT OBJECTION, AND STAFF HAS INDICATED WHAT THEIR NEXT STEPS WOULD BE.

I THINK THAT'S GOOD. SO WE'RE POSTED FOR PUBLIC HEARING SUBSEQUENT TO THE ETHICS COMMISSION'S REVIEW AND THEN BACK AFTER THAT FOR COUNCIL ACTION. AND I THINK ANOTHER SUGGESTION THAT I WOULD HAVE FOR COUNCILMEMBERS TO MAKE YOUR INPUT KNOWN ON THIS AND LET'S TRY TO GET OUR SUGGESTIONS TO BURT. IF YOU'VE GOT SOME PARTICULAR -- LIKE I'VE GOT A QUESTION MYSELF ABOUT THE TERM LIMITS. AND I DON'T KNOW IF THAT WAS RECOMMENDED BY THE TASKFORCE OR EXACTLY WHERE THAT CAME FROM. I KNOW WE DO HAVE SOME VERY VALUABLE COMMISSION MEMBERS THAT HAVE SERVED FOR 20 TO 30 YEARS. SO CERTAINLY INPUT AND COMMENT AS THIS PROCESS GOES FORWARD WOULD BE VALUABLE, I THINK. BUT AGAIN, CONGRATULATIONS, YOU'VE DONE A GREAT JOB AND I THINK THIS IS LONG OVERDUE.

Mayor Wynn: COUNCILMEMBER KIM.

Kim: THANK YOU FOR THE WORK. AGAIN, IT'S SOMETHING THAT WE NEED AS A POLICY MAKING BODY RKS...., WE NEED THE ADVICE OF CITIZENS FOCUS ODD SPECIFIC AREAS. THEY'RE OUR CABINETS BASICALLY THAT GIVE US ADVICE AND WHEELS SHARE WITH THEM OUR PER -- OWE AND WE ALSO SHARE WITH THEM OUR PERSPECTIVE OF LOOKING AT

WHAT THEY'RE WORKING AS IT AFFECTS OTHER AREAS OF THE CITY, INCLUDING THE BOARDS AND COMMISSIONS. SO THIS WORK IS REALLY WELCOME AND I SUPPORT IT.

Mayor Wynn: FURTHER COMMENTS OR QUESTIONS? IF NOT, WE APPRECIATE THE PRESENTATION. AND WE LOOK FORWARD TO HAVING THIS COME BACK BEFORE US FOR A PUBLIC HEARING.

Mayor Wynn: AT THIS TIME I WILL RECESS THE MEETING OF THE AUSTIN CITY COUNCIL AND CALL TO ORDER, A QUORUM BEING PRESENT, THE AUSTIN HOUSING FINANCE CORPORATION BOARD OF DIRECTORS MEETING AND WELCOME MR. PAUL HILGERS.

THANK YOU, MR. PRESIDENT. I AM PAUL HILGERS AND I'M GLAD TO BE HERE TO PRESENT THREE ITEMS BEFORE THE AUSTIN HOUSING FINANCE CORPORATION TODAY. THE FIRST ITEM IS TO THE APPROVAL OF THE MINUTES OF THE SEPTEMBER 27TH BOARD MEETING OF THE AUSTIN HOUSING FINANCE CORPORATION.

Mayor Wynn: I'LL ENTERTAIN THAT MOTION. MOTION BY THE VICE-PRESIDENT, SECONDED BY BOARD MEMBER KIM TO APPROVE THE MINUTES AS POSTED. ALL IN FAVOR? OPPOSED? MOTION PASSES ON A VOTE OF SEVEN TO ZERO.

THE NEXT ITEM IS ON TODAY'S AGENDA IS TO APPROVE A LOAN TO UNITED CEREBRAL PALSY IN AN AMOUNT NOT TO EXCEED \$5,000 FOR RENTAL HOUSING FOR PERSONS WITH DISABILITIES. THE PROPOSED PROJECT IS TO ACQUIRE 10 UNITS, CONDOMINIUM PROJECT ON NORTH CROSS DRIVE IN THE ALLENDALE NEIGHBORHOOD. THESE UNITS WILL BE ONE BEDROOM, ONE BATH UNITS AND SERVE HOUSEHOLDS WITH DISABILITIES WITH NEARLY INCOMES OF NO MORE THAN 50% OF MEDIAN FAMILY INCOME. THE AFFORDABILITY FOR THESE PERIODS WILL BE OVER 40 YEARS. THE PROPOSED PROJECT MEETS ALL THREE CORE VALUES FROM THE AFFORDABLE HOUSING INCENTIVES TASKFORCE, DEEPER AFFORDABILITY TARGETS, MORE IMPORTANTLY, GEOGRAPHIC DISPERSION. IT IS DESIGNED TO LEVERAGE PRIVATE FUNDING WITH CITY AND COUNTY DOLLARS TO CREATE HOUSING UNITS. THE UNITED CEREBRAL PALSY HAS PREVIOUSLY RECEIVED

FUNDING FOR PROJECTS LIKE THE ONE BEFORE THE BOARD TODAY. THEY ACQUIRED SIX UNITS IN A COMPLEX LOCATED ON ODD GROVE BOULEVARD FOR PERSONS WITH DISABILITIES. ODD GROVE BOULEVARD IS A SHINING EXAMPLE OF HOW IT CAN WORK AS A FRAMEWORK FOR OUR PROGRAMS AND SERVICES WITHIN THE ULTIMATE GOAL OF MAKING PEOPLE - - GIVING PEOPLE THE OPPORTUNITY TO BE SELF-EFFICIENT. UCP IS GOING TO CONTINUE TICKET-TO-WORK TO CREATE INDEPENDENT LIVING OPPORTUNITIES FOR PERSONS WITH DISABILITIES AND HELPING US PUT THEM ON A PATH TO SELF-SUFFICIENCY. THIS -- JUST TO BE CLEAR, COUNCIL, THIS IS PART OF THE OLD -- THE DEVELOPMENT WE BROUGHT FORWARD AS SPRINGFIELD SUITES, SPRINGFIELD SPRINGFIELD ESTATES AND SENT A MEMO REGARDING THAT WHICH GIVES US IS OPPORTUNITY TO DO THIS PARTNERSHIP WITH THE UNITED CEREBRAL PALSY WHICH WILL HELP US DO BOTH RENTAL AND HOME OWNERSHIP UNITS IN THAT CONVERTED EXTENDED STAY HOTEL. SO WE'RE VERY EXCITED ABOUT THE PROSPECTS. UNITED CEREBRAL PALSY IS A GREAT PARTNER ALLOWING US NOT JUST TO DISPERSE FOWCIALT IN THIS, BUT IN A MODEL OF THE SECTION 8 PROGRAM WHERE YOU'RE DISBURSING HOUSING FOR PEOPLE WITH DISABILITIES WITHIN A MIXED USE, MIXED INCOME OR MIXED INCOME DEVELOPMENT. SO WE'RE VERY EXCITED ABOUT THE PROSPECTS. AND THE APPLICANT IS HERE IF YOU HAVE ANY QUESTIONS OF THEM, BUT STAFF IS OBVIOUSLY RECOMMENDING WITH GREAT SUPPORT FOR THIS PROJECT.

Mayor Wynn: THANK YOU, MR. HILGERS. QUESTIONS FOR STAFF, BOARD? COUNCILMEMBER KIM.

Kim: THANKS FOR YOUR WORK ON THIS PROJECT. IT'S A MILESTONE PROJECT. I MEAN, IT'S SOMETHING FOR PEOPLE WITH DISABILITIES, IT'S WEST OF I-35. IT'S IN A NEIGHBORHOOD THAT HAS....EXPERIENCED A LOT OF GROWTH, ESPECIALLY WITH NORTHCROSS MALL. I KNOW IT'S RIGHT NEXT TO IT. I WOULD LIKE TO MAKE SURE THAT WE HAVE TRAFFIC ISSUES, PEDESTRIAN ISSUES ADDRESSED OVER THERE IF WE'RE GOING TO BE DOING A HOUSING DEVELOPMENT, ESPECIALLY IF THERE'S GOING TO BE REDWOANLT AT THAT MALL. -- REDEVELOPMENT AT THAT MALL. SO PLEASE KEEP US POSTED. I WANT TO MAKE SURE

THAT ACCESSIBILITY IS STRESSED, WORKING WITH CAP METRO AND WHERE THEY'LL PUT THEIR STOPS. THAT'S SOMETHING THAT I KNOW THAT CITIZENS THERE HAVE BEEN CONCERNED ABOUT AS WELL.

ABSOLUTELY. THAT IS ONE OF THE KEY FEATURES OF THIS SITE IS IT IS RIGHT NEXT TO A CAP METRO SITE AND SO -- AND ACCESSIBILITY ON PARKING WE'VE WORKED OUT WAYS TO HANDLE THE PARKING. BUT WE WILL KEEP YOU POSTED AS THE REDEVELOPMENT TAKES PLACE, WHATEVER HAPPENS THAT YOU'RE POSTED ON HOW THIS WORKS. THANK YOU.

Kim: THANKS.

Mayor Wynn: FURTHER QUESTIONS, COMMENTS? AGAIN, WE HAVE THE PARTNER AGENCY HERE WITH US. HEARING NONE, I'LL ENTERTAIN A MOTION ON AHFC ITEM 2. MOTION BY BOARD MEMBER KIM, SECONDED BY BOARD MEMBER MARTINEZ TO APPROVE THIS ITEM PRESENTED BY STAFF. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION PASSES ON A VOTE OF SEVEN TO ZERO.

THE FINAL ITEM TODAY IS THE APPROVAL OF A RESOLUTION WHICH WILL ALLOW THE AUSTIN HOUSING FINANCE CORPORATION TO TRANSFER OWNERSHIP OF THE PLEASANT VALLEY VILLAS, FORMERLY KNOWN AS ROSE MOUNT AT OAK VALLEY LOCATED ON OLTORF AND PLEASANT VALLEY ROAD TO CASCADE AFFORDABLE HOUSING. THROUGH THIS TRANSFER, CASCADE WILL ASSUME ALL BOND OBLIGATIONS AND REGULATORY AGREEMENTS FOR PLEASANT VALLEY VILLAS. CASCADE AFFORDABLE HOUSING IS BASE UNDERSTAND SEATTLE, WASHINGTON AND HAS OVER 31,000 APARTMENT UNITS. THIS SERVE OUR MISSION TO FIND AND IMPLEMENT AFFORDABLE HOUSING HOUSING SOLUTIONS FOR LOW AND MODERATE INCOME PEOPLE. OUR REVENUE BOND PROGRAM IS JUST ONE OF THE WAYS WE MAKE THAT HAPPEN. THE SALE OF THIS TRANSACTION IN NO WAY AFFECTS THE AFFORDABILITY PERIODS OR ANY OTHER RIFB ASSOCIATED WITH THIS PROJECT. AND SO WE RECOMMEND -- STAFF IS RECOMMENDING THIS TRANSFER -- THE

AUTHORITY OF THIS TRANSFER FOR YOUR APPROVAL.

Mayor Wynn: QUESTIONS OF STAFF, BOARD? COMMENTS? IF NOT, I'LL ENTERTAIN THIS MOTION. MOTION BY BOARD MEMBER MCCRACKEN, SECONDED BY BOARD MEMBER LEFFINGWELL TO APPROVE THIS ITEM NO. 3 AS PRESENTED BY STAFF. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION PASSES ON A VOTE OF SEVEN TO ZERO.

THAT'S ALL THE BUSINESS BEFORE THE FINANCE CORPORATION TODAY, MR. PRESIDENT.

Mayor Wynn: THERE BEING NO MORE BUSINESS BEFORE THIS BOARD, WE NOW STAND ADJOURNED. WE CURRENTLY ARE IN RECESS AS THE AUSTIN CITY COUNCIL MEETING, AND WE DON'T HAVE ANY ITEMS TO TAKE UP PRIOR TO OUR 4:00 O'CLOCK ZONING CASES, SO WE REMAIN IN RECESS FOR 12 MORE MINUTES. THANK YOU VERY MUCH. 84: C14-07-0005, THAXTON REZONING.

Mayor Wynn: .

Mayor Wynn: THERE BEING A QUORUM PRESENT, AT THIS TIME I'LL CALL BACK TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL. WE'VE BEEN IN RECESS FOR ABOUT 20 MINUTES OR SO. WE NOW GO TO OUR 4:00 O'CLOCK POSTED ZONING CASES. AND WELCOME MR. GREG GUERNSEY.

GOOD AFTERNOON, MAYOR AND COUNCIL. MY NAME IS GREG GUERNSEY WITH THE NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT. LET ME WALK THROUGH OUR 4:00 O'CLOCK ITEM FOR ZONING AND RESTRICTIVE COVENANTS WHERE THE HEARINGS HAVE BEEN CLOSED. THE FIRST ITEM I'D LIKE TO OFFER IS 84: C14-07-0005, THAXTON REZONING. APPROVE SECOND/THIRD READINGS OF AN ORDINANCE AMENDING CHAPTER 25-2 OF THE AUSTIN CITY CODE BY REZONING PROPERTY LOCALLY KNOWN AS THE SOUTHWEST CORNER OF THAXTON ROAD AND PANADERO DRIVE FROM INTERIM SINGLE-FAMILY WE HAVE A POSTPONEMENT OF ONE WEEK BY TAF TO ADDRESS SOME PHYSICAL ISSUES BEING PAID FOR ON THIS PROPERTY. IT'S A ONE WEEK

POSTPONEMENT BY STAFF. 85: C14-2007-0049, PALM SQUARE. APPROVE AN ORDINANCE AMENDING CHAPTER 25-2 OF THE AUSTIN CITY CODE BY REZONING PROPERTY LOCALLY KNOWN AS 6004 WEBBERVILLE ROAD FROM GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-CO-NP) COMBINING DISTRICT ZONING TO COMMERCIAL-LIQUOR SALES-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-1-CO-NP) COMBINING DISTRICT ZONING. THIS WAS AN ITEM WHERE THE NEIGHBORHOOD AND THE APPLICANT WERE GOING TO MEET. THE PUBLIC HEARING HAS BEEN CLOSED. THE MEETING HAS TAKEN PLACE. THIS IS READY FOR ALL THREE READ EGGS TODAY. IF YOU WOULD LIKE AT THE CLOSE OF MY PRESENTATION CAN YOU HEAR FROM BOTH SIETDZ AND EITHER TAKE ACTION ON THE CONSENT AGENDA OR IF YOU WANT TO REOPEN THE HEARING, WHICH IS UP TO YOU, WE CAN CONSIDER THAT AS WELL. THAT'S ON ITEM NUMBER 85. NUMBER 86 AND 87 ARE RELATED. 86: NPA-2007-023, UNIVERSITY HILLS/WINDSOR PARK COMBINED NEIGHBORHOOD PLAN. THIS IS SPECIFICALLY FOR TRACT NUMBER 210 TO APPROVE SECOND/THIRD READINGS OF AN ORDINANCE AMENDING THE AUSTIN TOMORROW COMPREHENSIVE PLAN BY ESTABLISHING A LAND USE DESIGNATION OF MIXED USE ON THE FUTURE LAND USE MAP FOR 0 MANOR ROAD. BEING A 2.28-ACRE TRACT OUT OF THE ABS 258 SURVEY AND A 4.798-ACRE TRACT. AGAIN, KNOWN AS TRACT 210. THE RELATED ITEM IS FOR 87 FOR THE REZONING OF THE SAME TRACT AT THAT SAME LOCATION FOR NEIGHBORHOOD COMMERCIAL MIXED USE CONDITIONAL OVERLAY NEIGHBORHOOD PLAN ZONING. THERE WOULD BE A CONDITIONAL OVERLAY THAT WOULD PROHIBIT SERVICE STATION USES AND DRIVE-IN USES AS AN ACCUSE BE ASSESSRY TO A COMMERCIAL USE. THIS IS READY FOR SECOND AND THIRD READING. THE NEIGHBORHOOD WANTED TO MAKE ONE COMMENT ON THIS AND WOULD LEAVE IT ON FOR CONSENT. I UNDERSTAND IT'S A SHORT STATEMENT.

...

Mayor Wynn: WITHOUT OBJECTION, SO BE IT.

JO BETH? I DON'T SEE HER HERE. I SPOKE WITH HER

EARLIER THIS AFTERNOON.

Mayor Wynn: WHY DON'T WE GO WITH THE FOLKS REGARDING ITEM 85.

THE APPLICANT IS HERE TO SPEAK TO THIS AS WELL AS A NEIGHBORHOOD REPRESENTATIVE. I'LL PAUSE AND LET THEM SPEAK.

Mayor Wynn: IT MIGHT BE CONVENIENT IF BOTH THE APPLICANT CAME UP AND TOOK ONE PODIUM AND THE NEIGHBOR, COUNSELOR OF NEIGHBORS OR A REPRESENTATIVE COME STAND ON THIS SIDE AS WELL. WE WOULD APPRECIATE JUST A BRIEF EXPLANATION OF THE DIALOGUES THAT'S BEEN OCCURRING SINCE THE CLOSING OF THE PUBLIC HEARING. WELCOME BACK.

I'M THE CURRENT OWNER OF THE PALM SQUARE DEVELOPMENT. AFTER THE LAST HEARING WE VOLUNTARILY ASKED FOR A POSTPONEMENT SO WE HAVE A CHANCE TO MEET WITH THE NEIGHBORHOOD AND WE DID HAVE A MEETING TODAY. WE ADDRESSED A LOT OF CONCERNS IN GENERAL, ITEM BY ITEM WITH THE NEIGHBORHOOD. AND MY SUMMARY HERE IS WE DO NOT HAVE ANY DISPUTE. EVEN THOUGH THERE'S SOME REMAINING GENERAL CONCERN THAT WE SEE. FOR EXAMPLE, THE CONCERN ABOUT TRAFFIC IMPACT, THE CONCERN ABOUT PEOPLE LOITERING AT THE FACILITY AFTER HOURS. SO MY GENERAL RESPONSE TO THE NEIGHBORHOOD IS IT ALSO IN OUR BEST INTEREST TO TAKE CARE OF THE NEIGHBORHOOD BY CONTROLLING THE LOITERING BECAUSE ALSO BAD IMAGE FOR THE CENTER AND FOR OUR BEST INTERESTS. WE ALSO LOOKING TO ADDRESS THAT ISSUE DIRECTLY. AND FOR THE TRAFFIC IMPACT ANALYSIS, WE ALSO HAVE THE COMMISSION, THE TRAFFIC IMPACT ANALYSIS FROM ANOTHER THIRD-PARTY AND SO FAR THE SPECIFIC ESTABLISHMENT OF THE LOUNGE, WE DON'T SEE ANY MAJOR IMPACT ON TRAFFIC. TRAFFIC AROUND THAT AREA BESIDES THE TRAFFIC THAT WOULD BE ATTRACTED BY THE COMMERCIAL CENTER BY ITSELF.

Mayor Wynn: THANK YOU, SIR. AND FROM THE NEIGHBORS?

MY NAME IS CHRISTINE CROB ROBINSON. I AM REPRESENTING HERITAGE VILLAGE. I DISAGREE WITH ONE STATEMENT THAT HE DID MAKE. THERE IS STILL A DISPUTE, AND THE DISPUTE IS THE FACT THAT WE ARE OPPOSED TO CS-1 ZONING. THIS IS NOT AN ISSUE ABOUT THE LEASING TENANTS OF THE FACILITY NOR THE BUILDING OWNER. WE FULLY SUPPORT THE COMMERCIAL ZONED BUILDING. SO ISSUES SUCH AS TRAFFIC ISSUES I THINK SHOULD BE ADDRESSED SEPARATELY. IN MY MIND THIS IS A VERY CLEAR CASE ABOUT CS-1 ZONING AND THAT IS WHAT WE ARE OPPOSING. WE ARE OPPOSING ALL ALCOHOL ONLY RELATED BUSINESS IN THIS FACILITY. AND CLIFFORD MAY WILL EXPAND UPON THOSE REASONS. THE PURPOSE OF MY ADDRESSING YOU TODAY IS BECAUSE THERE ARE TWO VERY SPECIFIC EMISSIONS IN THE ZONING CHANGE REVIEW STREET. THE FIRST ONE BEING THERE'S A DAY CARE LOCATED AT THE ADDRESS OF 6123 EAST MLK. THIS DAY CARE FACILITY IS LOCATED DIRECTLY ACROSS THE STREET FROM PALM SQUARE. ON PAGE 4 OF THE ZONING SHEET IT IDENTIFIES OTHER BUSINESSES, IT FAILS TO MENTION THAT THIS DAY CA IS LOCATED THERE. AND THE NAME OF THE FACILITY IS THE SEEK AND SAY ENRICHMENT DAY CARE CENTER, WHICH CH I'M NOT SURE IF YOU GUYS RECEIVED THE E-MAIL CORRESPONDENCE AND ALSO A WRITTEN PETITION OF 25 PARENTS AS OF 8:30 THIS MORNING WHEN I VISITED THE OWNER, BUT I HAVE THAT INFORMATION IF YOU WOULD LIKE COPIES. THIS FACILITY, THE CS-1 ZONING IS OF GREAT CONCERN TO HER IN ADDITION TO THE NEIGHBORHOOD. THE SECOND ITEM OF OMISSION IS ON PAGE 5, AND THIS IS WHERE IT DISCUSSES BASICALLY THE TRANSPORTATION, AND THERE'S A STATEMENT THAT IT'S AVAILABLE ALL ALONG MLK. IT ADDRESSES ROUTE 23, BUT IT FAILS TO MENTION THAT THAT BUS ROUTE IS DOWN REGENCY DRIVE. REGENCY DRIVE IS AGAIN AS THE ONES OF YOU WHO ARE IN THE MEETING TWO WEEKS AGO, IS LOCATED RIGHT HERE, WHICH IS THE ONLY ENTRANCE INTO AND EXIT OUT OF NOT ONLY THE HERITAGE VILLAGE SUBDIVISION, BUT ALSO THE CAVALIER PARK SUBDIVISION.

Mayor Wynn: THANK YOU, MRS. ROBINSON: CLIFFORD, DO YOU HAVE A BRIEF COMMENT AS WELL? ESSENTIALLY WE'RE TRYING TO SUMMARIZE THE DIALOGUE THAT MAY HAVE

OCCURRED SINCE THE PUBLIC HEARING.

YES. I'M CLIFFORD MAY. I LIVE AT 5300 HERITAGE VILLAGE DRIVE IN THIS NEIGHBORHOOD. IN REVIEWING THE NEIGHBORHOOD PLAN, WHICH THE BACKGROUND MATERIAL ON THIS CASE STATES DOES NOT REQUIRE TO BE AMENDED IN ORDER TO APPROVE CS-1 IN THIS CORNER, I FIND SEVERAL STATEMENTS IN THE NEIGHBORHOOD PLAN WHICH ON THE FACE OF IT HAS CAUSED THE NEIGHBORHOOD -- A LOT OF THE NEIGHBORS TO FEEL LIKE THERE'S A CONTRADICTION THERE. IN THE RECOMMENDATIONS IN THE NEIGHBORHOOD PLAN, THERE'S A SPECIFIC STATEMENT, REDEVELOPMENT OF THE ABANDONED SHOPPING CENTER ON THE NORTHEAST CORNER OF ED... ED BLUESTEIN BOULEVARD AND FM 969 WITH COMMUNITY ORIENTED COMMERCIAL DEVELOPMENT IS A NEIGHBORHOOD PRIORITY. THIS IS A NARRATIVE ITEM WHICH DOESN'T FIT ON THE FUTURE LAND USE MAP. ON THIS SAME PAGE OF THE NEIGHBORHOOD PLAN IT STATES ACTION 65, ACTION ITEM, ALLOW COMMUNITY ORIENTED COMMERCIAL/MIXED USE AT THE INTERSECTION OF FM 969 AND ED BLUESTEIN BOULEVARD. THE MAP DOES SHOW A NEIGHBORHOOD URBAN TYPE DEVELOPMENT IN THAT CORNER, AND WHAT I THINK HAS CREATED A LOT OF SENSE ON THE PART OF RESIDENTS THAT THE NEIGHBORHOOD PLAN SAYS ONE THING AND YET THE CITY WILL APPROVE WHATEVER ZONING THENT TO REGARDLESS HAS TO DO WITH THIS DEFINITION WHICH ALSO OCCURS IN THE NEIGHBORHOOD PLAN. IT SAYS, COMMUNITY COMMERCIAL, OFFICES AND COMMERCIAL FACILITIES THAT SERVE NEEDS OF THE WIDER COMMUNITY. EXAMPLES INCLUDE SHOPPING CENTERS, MOVIE THEATERS AND GROCERY STORES, PERIOD. AND THAT DOESN'T ALERT THE NEIGHBORS THAT THEY ARE APPROVING COMMERCIAL LIQUOR SALES. SO IT'S LIKE A LOT OF PEOPLE IN THE NEIGHBORHOOD THAT ARE SENDING E-MAILS, WRITING COMMENTS ARE FEELING BETRAYED BY THE NEIGHBORHOOD PLAN PROCESS WHICH REFERS TO COMMUNITY ORIENTED DEVELOPMENT FOR THIS TRACT IN THE OVERLAY, WHICH APPLIES TO THIS TRACT SPECIFICALLY, REGARDLESS OF WHAT'S APPROPRIATE AT MAJOR ARTERIAL AND OTHER PLACES IN THIS CITY.

Mayor Wynn: THANK YOU, MR. MAY. SO MR. GUERNSEY,

PERHAPS, YOUR SUGGESTION WAS THAT THIS CASE WAS -- IS READY FOR ALL THREE READING AS A POTENTIAL CONSENT ITEM. BUT PERHAPS IF YOU COULD HELP US UNDERSTAND WHERE YOU THINK -- WHERE THE CENTER OF GRAVITY IS.

THE COUNCIL CLOSED THE PUBLIC HEARING AT THE LAST MEETING AND WE PREPARED AN ORDINANCE THAT REFLECTED THE COMMISSION'S RECOMMENDATION. THE COUNCIL COULD JUST TAKE FIRST READING TODAY. IF YOU'D LIKE, WE CAN MEET WITH THE CHAIBZ BE NAIBZ AND CHAT WITH THEM -- WITH THE NEIGHBORS AND CHAT WITH THEM ABOUT THE NEIGHBORHOOD PLAN. THERE IS CERTAINLY A ZONING CHANGE THAT IS REQUIRED. IN ADDITION, BEFORE A COCKTAIL LOUNGE COULD EVEN OPEN, THE PROPERTY OWNER WOULD HAVE TO FILE WHAT'S CALLED A CONDITIONAL USE PERMIT. THAT WOULD ACTUALLY LOOK AT THE PARTICULARS OF THE COCKTAIL LOUNGE, PARKING, ACCESS, ALL THOSE ISSUES WOULD BE REQUIRED TO BE REVIEWED IN WHAT'S CALLED A CONDITIONAL USE PERSONALITY SITE PLAN THAT WOULD GO BEFORE THE PLANNING COMMISSION FOR REVIEW. ALSO IT WOULD BE APPEALABLE TO THE CITY COUNCIL IF THERE WAS A PARTY AGRIEVED BY THAT. SO THERE WOULD BE MORE OPPORTUNITY TO ACTUALLY REVIEW THE DETAILS OF HOW THE CLUB WOULD OPERATE, SPEAK TO POSSIBLY ITS HOURS OF OPERATION, ACCESS POINTS AND THING LIKE THAT. BUT IT'S AT YOUR DISCRETION WHETHER YOU HAD TO GO ONLY FOR FIRST READING TODAY OR ALL THREE READINGS TODAY. THE LIQUOR STORE WOULD ONLY REQUIRE THE ACTION OF THE CITY COUNCIL TO APPROVE CS-1 ZONING, PROVIDED THEY COMPLY WITH ALL THE BUILDING PERMIT REQUIREMENTS AND THE ALCOHOL BEVERAGE PERMIT REQUIREMENT PROCESS AND THEN THEY COULD GET THEIR PERMIT BY EITHER THE PLANNING COMMISSION OR THE CITY COUNCIL IF THEY COMPLY WITH ALL THE TABC AND ALCOHOLIC REGULATIONS IN THE CITY OF AUSTIN.

Mayor Wynn: COUNCILMEMBER KIM, THEN LEFFINGWELL.

Kim: I WAS READY TO MAKE AN ACTION. COUNCILMEMBER LEFFINGWELL, DO YOU HAVE A QUESTION? I WAS GOING TO

MAKE A MOTION.

Leffingwell: I JUST HAD A COMMENT. IT'S MY RECOLLECTION THAT THE REASON WE TOOK NO ACTION AT THE LAST COUNCIL MEETING WAS THAT AT THE APPLICANT'S REQUEST. HE AFTER THE PUBLIC HEARING WAS HELD, THE APPLICANT REQUESTED A POSTPONEMENT TO PROVIDE THE OPPORTUNITY TO WORK WITH THE NEIGHBORHOOD ON THIS. SO IT'S NOT AS IF THERE WAS SOME CONTENTION ABOUT THAT. MY OTHER -- MY RECOLLECTION ALSO IS THAT IT WAS STATED AT THE LAST MEETING THAT THIS SHOPPING CENTER HAS BEEN EMPTY FOR ABOUT 20 YEARS. IS THAT CORRECT?

YES. I WAS THE ORIGINAL CASE MANAGER I THINK BACK IN 1986 WHEN THIS SITE PLAN CAME THROUGH. --

Mayor Wynn: YOU LOOK A LOT BETTER THAN THE STRIP CENTER DOES. [LAUGHTER]

THANK YOU, MAYOR. THE SHOPPING CENTER WAS PARTIALLY COMPLETED AND WITH THE DOWNTURN IN THE ECONOMY IN THE LATE '80S, IT WAS LEFT UNFINISHED. AND I THINK IT WENT INTO RECEIVERSHIP. THERE HAS BEEN SEVERAL ILLEGAL USES THAT HAVE OCCUPIED THE BUILDING WHERE I THINK CODE ENFORCEMENT HAS ACTUALLY HAD USES REMOVED THROUGH TIME AND NOW THIS IS THE FIRST OPPORTUNITY THAT WE'VE HAD A BUYER THAT'S COME IN AND ACTUALLY WILLING TO RENOVATE THE BUILDING AND FINISH IT OUT.

Leffingwell: THIS ENTIRE TIME IT'S BEEN ZONED CS-CO SINCE 1986?

THAT'S RIGHT. AND THERE'S BEEN A SHELL THERE PROBABLY AT LEAST 15 YEARS OR LONGER.

Mayor Wynn: COUNCILMEMBER KIM.

Kim: I UNDERSTAND THAT THERE WAS A MEETING THIS AFTERNOON AND MY AIDE WAS THERE AND I UNDERSTAND THAT YOU WANT TO WORK THROUGH SOME PRIVATE RESTRICTIVE COVENANTS, SO I UNDERSTAND YOUR

CONCERN ABOUT THE DAY CARE; HOWEVER, THE HOURS OF OPERATION ARE GOING TO BE DIFFERENT FROM WHEN THE ALCOHOL IS GOING TO BE SOLD. AND ALSO DURING THE DAYTIME YOU TALKED ABOUT A COMMUNITY BENEFIT IN TERMS OF THE USE OF THE SPACE. IT'S MY UNDERSTANDING THAT THEY'RE ALSO GOING TO... TO DO COMPUTER CLASSES DURING THE DAY AND OTHER TYPES OF CLASSES. SO ISN'T THAT ISN'T GOING TO BE USED ON THE ACTUAL NON-ACTIVITY, THERE ARE DIFFERENT TYPES OF NIST THE DAY AND NIGHTTIME. I'M GOING TO MAKE A MOTION FOR THE APPLICANT'S REQUEST FOR CS-CO-NP.

Mayor Wynn: TECHNICALLY I WAS GOING TO TRY TO PUT THIS ON A CONSENT AGENDA WITH THE POSTPONEMENT REQUEST, BUT I THINK THERE IS ENOUGH -- WHY DON'T WE JUST TAKE THIS UP AS A SEPARATE DISCUSSION ITEM. WE HAVE A MOTION FROM COUNCILMEMBER KIM TO APPROVE ON FIRST READING ONLY THIS CASE AS PRESENTED --

Leffingwell: MAYOR?

Mayor Wynn: HANG ON. AND A MOTION FROM COUNCILMEMBER COLE. COUNCILMEMBER LEFFINGWELL?

Leffingwell: JUST A CLARIFICATION. IS THAT THE STAFF RECOMMENDATION THAT IS CS-1-CO-NP FOR TRACTS 2 AND 3 AND CO-CS-NP FOR THE BALANCE? IS THAT CORRECT?

...

Kim: CORRECT. THE STAFF RECOMMENDATION.

AND THE COMMISSION ADOPTED THE STAFF'S RECOMMENDATION FOR THE ALCOHOLIC BEVERAGE SALE ON TRACT 2 AND 3 AND THE REMAINDER BEING THE CS-CO-NP. THE STAFF REPRESENTATION, COMMITTEE RELIGIOUS WERE THE SAME ON THIS ONE.

..MOTION PASSES ON A VOTE OF SEVEN TO ZERO WE HAVE A MOTION AND A SECOND ON THE TABLE FIRST READING ONLY, STAFF RECOMMENDATION. CASE 85. COUNCILMEMBER COLE.

Cole: I WAS WONDER FG YOU HAVE ANY INFORMATION ABOUT WHAT THE HOURS OF OPERATION ARE? I AM CONCERNED ABOUT THE DAY CARE AND THE LIQUOR STORE AND THE TESTIMONY WE HAD ABOUT THAT. DO YOU KNOW WHAT THAT IS AT ISSUE, THE TIME FRAME THAT THE LIQUOR STORE WOULD BE OPEN VERSUS THE DAY CARE?

I MIGHT LEAVE THAT TO BOTH PARTIES BECAUSE STAFF WASN'T IN ATTENDANCE AT THE MEETING WHERE THEY DISCUSSED THE HOURS OF OPERATION. IF YOU WOULD LIKE TO HEAR EITHER FROM THE NEIGHBORHOOD OR THE OWNER, THEY'RE BOTH HERE. BOTH SEEM VERY EAGER TO TALK ABOUT THAT ISSUE. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS]

THANK YOU. WE DID DISCUSS ABOUT THIS ITEM.

I'M JUDY, ONE OF THE LOUNGE OWNERS, THE HOURS WE ARE PROPOSING IS THURSDAY THROUGH SATURDAY, 5:00 P.M. TO 2:00 A.M. WHEN IT COMES TO THE CLASSES WE WILL BE HAVING THERE, THERE IS NO WAY I WOULD HAVE ALCOHOLIC BEVERAGES SERVED WHILE I'M TAKING COMPUTER CLASSES, BAR CERTIFICATION CLASSES, EVIDENCE. THE ONLY INDICATION AS TO ALCOHOLIC BEVERAGES POSSIBLY BEING SERVELED DURING THE DAYTIME IS IF A COMPANY CAME TO US AND SAID WE WERE GOING TO HAVE AN OFF-SITE AND CAN YOU HAVE THE BAR OPEN, THAT WAS ALL HYPOTHETICAL. NOTHING WE HAVE IS INDICATING WE EVEN ARE FATHOMING THE IDEA OF HAVING ALCOHOLIC BEVERAGES SERVED DURING THE DAY AND THAT IS WHAT WE ARE PROPOSING.

THANK YOU.

THANK YOU.

MAYOR WYNN: A MOTION AND A SECOND ON THE TABLE. STAFF RECOMMENDATION, FIRST READING ONLY, FURTHER COMMENTS?

YOU SAID THE STAFF RECOMMENDATION OR COMMISSION'S RECOMMENDATION.

MAYOR WYNN: I THOUGHT THEY WERE THE SAME.

STAFF RECOMMENDATION, OKAY.

MAYOR WYNN: FURTHER COMMENT? HEARING NONE, ALL THOSE IN FAVOR, PLEASE SAY AYE. AYE, OPPOSED? MOTION PASSES ON FIRST READING ONLY A VOTE OF 6-0. COUNCIL MEMBER MARTINEZ OFF THE DIAS.

AS A COURTESY, WE WILL MAKE SURE THEY ARE AWARE OF THE DATE WHEN IT COMES BACK. WE WANT TO MAKE SURE THE NEIGHBORS ARE AWARE WHEN THIS COMES BACK.

MAYOR WYNN: COUNCIL, WE ALSO PROPOSED A CONSENT AGENDA, TRACK NUMBER 84 TO OR ITEM NUMBER 84 TO POSTPONE THIS CASE FOR ONE WEEK UNTIL OCTOBER 18, 2007, AND ON, AS A COMBINED CASE 86 AND 87 TO APPROVE ON SECOND AND THIRD READING, BOTH THE ZONING AND THE MIXED USE DESIGNATION ON THE FUTURE LAND USE MAP.

MAYOR AND COUNCIL, OUR NEIGHBOR PERSON DID ARRIVE, SHE HERE, JOE BETH, BEHIND ME, AND WANTED TO SAY A QUICK COMMENT BEFORE YOU VOTE ON 86 AND 87.

MAYOR WYNN: THANK YOU. THIS WOULD BE A GOOD TIME FOR THAT.

MR. MAYOR.

MAYOR WYNN: YES, MA'AM, WELCOME.

GOOD EVENING, COUNCIL AND LEGAL REPRESENTATION. JOE BETH FROM THE UNIVERSITY NEIGHBORHOOD ASSOCIATION. THANK YOU FOR THE OPPORTUNITY TO SPEAK VERY BRIEFLY ON 86 AND 87. THIS IS PART OF THE TURNER PROPERTY THAT IS COMMONLY REFERRED TO, IT ACTUALLY HAS A STREET ADDRESS 6907 MANA ROAD. IN 2000 AND 2001, MIKE OF WATERSHED DISCOVERED A WET LAND IN THE AREA AND THE REASON I WANT THIS INTO THE RECORD, WE'VE HAD SOME SAD EXPERIENCES WITH A PRISTINE AREA OF 10-ACRES WHERE THERE WAS NOT OVER SITE BEFORE THEY BROUGHT IN THE BULLDOZERS, SO IF IT

MEETS THE COUNCIL'S PLEASURE, I WOULD LIKE TO REQUEST THAT WE DO HAVE A THIRD READING ON THIS TO PROVIDE US THE OPPORTUNITY TO MEET WITH EDUARDO AND MIKE AND GET A PLAN FOR ENVIRONMENTAL OVER SITE BECAUSE THERE IS A PRELIMINARY SITE PLAN IN THE WORKS. THANK YOU. THERE WERE TWO OTHER THINGS ON THIS AGENDA THAT ARE JUST AS BRIEF AND THAT WAS ITEM 109/110, THE AISC PROPERTY.

MAYOR WYNN: YES, MA'AM. YOU ARE WELCOME TO BRIEFLY GIVE US TESTIMONY, BUT WE HAVEN'T CALLED THOSE UP.

I WILL WAIT. THANKS.

MAYOR WYNN: YOUR REQUEST WAS THAT --

TO HAVE THIS PUT INTO THE RECORD, IT IS A MATTER OF FACT, IT IS NOT THAT WE'RE TRYING TO STOP ANYTHING, WE JUST WANT ASSURED ENVIRONMENTAL OVERSIGHT THAT THEY DON'T GO IN THERE AND PLOW UP THE WET LAND AND FILL IT IN.

MAYOR WYNN: YES, MA'AM, THANK YOU. MR. GUERNSEY, WE HAVE ZONING AND INDEPENDENT OF THE ZONING WE HAVE SITE PLAN REVIEW, ENVIRONMENTAL OVERSIGHT, TRAFFIC IMPACT.

JOE BETH JUST WANTS TO MAKE SURE THE NEIGHBOR FEELS AND CARES DEEPLY FOR THE WET LANDS THEY HAVE IN THEIR NEIGHBORHOOD SO WE WANT IT ON THE RECORD IT IS IDENTIFIED AS A WET LAND IN THIS PROPERTY AND BY HAVING IT ON THE RECORD NOW AND MAKE A NOTATION IN THE FILE THAT HER COMMENTS COMMENTS HAVE BEEN MADE AND THAT WAY WHEN IT COMES IN SITE PLANNER COMES IN WITH A REVIEW IT WILL ALSO BE PICKED UP WHEN THEY REVIEW THE FILE.

MAYOR WYNN: FAIR ENOUGH. AGAIN, WE'VE PROPOSED CONSENT AGENDA ON ITEMS 84, 86 AND 87. I WILL ENTERTAIN THAT MOTEL. MOTION BY COUNCIL MEMBER McCracken AND SECOND BY MAYOR PRO TEM TO APPROVE AS PROPOSED. FURTHER COMMENT? HEARING NONE. ALL IN

FAVOR SAY AYE. MOTION PASSES ON A VOTE 7-0.

MAYOR AND COUNCIL, LET ME CONTINUE WITH OUR 4:00 ZONING AND NEIGHBORHOOD PLAN AMENDMENTS. THE PUBLIC HEARINGS ARE OPEN AND OPEN FOR POSSIBLE ACTION BY THE COUNCIL. ITEM NUMBER 88. C14-2007-0111- Cameron Road Retail Conduct a public hearing property locally known as 7316 Cameron Road. THE APPLICANT HAS WITHDRAWN REQUEST, NO ACTION IS REQUIRED. THEY WITHDRAW THE APPLICATION ON 88. HE 89 AND 90 ARE RELATED ITEMS. NPA-2007-0009. 01 - Central East Austin NPA McMansion Ordinance Amendment AND THE RELATED ITEM IS A ZONING ITEM, C14-01-0148.005 Central East Austin NPA McMansion Ordinance Amendment. STAFF IS REQUESTING A POSTPONEMENT OF THESE ITEMS AND THE PLANNING COMMISSION WITH FURTHER ACTION UNTIL OCTOBER 23. STAFF IS PROPOSING POSTPONEMENT OF 9 AND 90 TO NOVEMBER 8th ON ITEM NUMBER 89 AND 90. ITEM NUMBER 91. C14-95-0183RCA Vina Plaza Restrictive Covenant Amendment Conduct a public hearing and RELATEKC 14 FOR PROPERTIES LOCATED AT 1280HARRIS RIDGE BOULEVARD. STAFF IS RECOMMENDING POSTPONEMENT TO THE OCTOBER 18th AGENDA. THE COMMISSION WILL BE REVIEWING THESE ITEMS ON OCTOBER 16th. ITEM NUMBER 97. C14-2007-0100 South Edge II locally known as 6210 and 6216 Crow Lane Williamson Creek REZONING REQUEST FROM FAMILY RESIDENTS, neighborhood plan SF-3-NP combining district zoning to multi-family residence- medium density-neighborhood plan MF- 3-NP combining district zoning. Staff Recommendation: To grant multi-family residence-low density-neighborhood plan MF-2-NP combining district zoning with conditions. THIS IS READY FOR CONSENT APPROVAL ON ALL THREE READINGS. ITEM NUMBER 94, C 14-2007-0122. PROPERTY LOCATED AT EAST BEN WHITE BOULEVARD AND AIRPORT COMMERCE DRIVE. THIS IS A REZONING REQUEST FROM GENERAL SERVICE, CONDITIONAL OVER LIE, NEIGHBORHOOD PLAN OR COMBINED DISTRICT ZONING TO GENERAL COMMERCIAL SERVICES, CONDITIONAL OVERLAY NEIGHBORHOOD PLAN COMBINED DISTRICT ZONING TO CHANGE TO A CONDITION OF ZONING. THE PLANNING COMMISSION DID MAKE A RECOMMENDATION TO GRANT THE GENERAL COMMERCIAL SERVICES CONDITIONAL OVERLAY NEIGHBORHOOD PLAN,

COMBINED DISTRICT ZONING FOR THAT CHANGE AND CONDITION, AND IT IS READY FOR CONSENT APPROVAL ON ALL THREE READINGS. ITEM 95 IS C 14-2007-0126, KNOWN AS THE SKY INN, AIRPORT COMMERCE DRIVE, A REZONING REQUEST FROM CS-CO-NP, COMBINING DISTRICT ZONING TO A CONDITION OF ZONING. GENERAL COMMERCIAL SERVICE NEIGHBORHOOD PLAN TO CHANGE THE CONDITION OF ZONING. THE PLANNING COMMISSION RECOMMENDED TO GRANT THE ZONING FOR THESE CHANGES AND THIS IS READY FOR CONSENT APPROVAL ON ALL THREE READINGS. ITEM NUMBER 96 IS C 14-207-0127, LOCATED AT 1614 FERGUSON LAY. THIS IS TO REQUEST THE FAMILY RESIDENT DISTRICT ZONING TO LIMITED INDUSTRIAL SERVICE DISTRICT ZONING. THE RECOMMENDATION IS TO GRANT LIMITED INDUSTRIAL SERVICE DISTRICT ZONING AND THIS IS READY FOR CONSENT APPROVAL ON ALL THREE READINGS. ITEM 97 IS KC 14-2007-0139, BARTON CREEK CHILD CARE AND DEVELOPMENT CENTER, REZONING REQUEST FOR RR DISTRICT ZONING TO LIMITED OFFICE CONDITIONAL OVERLAY OR LO-CO COMBINED DISTRICT ZONING. PLANNING COMMISSION'S RECOMMENDATION WAS TO GRANT LIMITED OFFICE CONDITION OVERLAY AND THIS IS READY FOR FIRST READING ONLY. ITEM NUMBER 98, CASE C 14-2007-0121 FOR THE PROPERTY LOCATED AT NORTH I-35 NORTHBOUND THIS IS A REQUEST FOR MIXED USE, COMBINED DISTRICT ZONING TO COMMERCIAL LIQUOR SALES MIXED USE NEIGHBOR PLANNER COMBINED DISTRICT ZONING. PLAN COMMISSION RECOMMENDATION WAS TO GRANT THE REQUEST FOR CS-MU-MP AND THIS IS READY FOR CONSENT APPROVAL ON ALL THREE READINGS. ITEM 99. CASE C 14-2007-0067, CLAWSON ROAD, LAB DISCUSSION ITEM. ITEM 100. THIS IS CASE C 14-05-0124, DESSAU MARKET FOR 12317 DESSAU ROAD. STAFF IS REQUESTING POSTPONEMENT OF THIS ITEM UNTIL NOVEMBER 8 TO ADDRESS BREAKS AND ACCESS. ITEM 101 IS CASE C 14-06-0044, THE PAYNE HOUSE, REZONING REQUEST FOR MULTI FAMILY RESIDENTS, MODERATE HIGH DENSITY, COMBINED DISTRICT ZONING TO MULTI TIMELY RESIDENTS, MODERATE HIGH DENSITY, HISTORIC PLANNING. THE PLANNING COMMISSION RECOMMENDATION WAS TO GRANT THE ZONING REQUEST TO ADD HISTORIC ZONING. IF YOU RECALL THERE WAS QUITE A BIT OF DISCUSSION ABOUT THIS CASE, AND THE PROPERTY OWNER HAS FOUND

SOMEONE TO RELOCATE THE HOUSE ON THIS PROPERTY TO A SITE SPECIFIC PROPERTY OUTSIDE THE CITY OF AUSTIN. AND PROVIDED THE COUNCIL A LETTER TO THAT AFFECT. THERE IS A VALID PETITION AGAINST, BY THE PROPERTY OWNER TO ZONING THE PROPERTY HISTORIC WHICH WOULD REQUIRE A SUPER MAJORITY VOTE OR 3/4 VOTE OF THE CITY COUNCIL TO OVERRIDE THAT PETITION. GIVE THEN A INFORMATION, IF YOU DECIDE TO VOTE ON THIS, YOU COULD VOTE ON THIS ON CONSENT TO EITHER DENY OR TO APPROVE AND THEN FAILING A 3/4 MAJORITY VOTE, THEN THE CASE WOULD IN ESSENCE BE DENIED.

MAYOR WYNN: MAYOR PRO TEM.

DUNKERLEY: WE'VE BEEN WAITING TO HAVE AN OWNER COME TO THAT HOUSE TO MOVE TO A NEW LOCATION, AND WE HAVE SUCH AN OPTION NOW AND THE PARTICULAR PERSON WHO HAS BOUGHT THE HOUSE TO MOVE HAS A VERY GOOD TRACK RECORD IN RESTORING THESE HISTORIC HOMES, SO I WOULD RECOMMEND THAT WE PUT IT ON CONSENT AS A DENIAL SO THAT THAT PROCESS CAN TAKE PLACE. HE.

MAYOR WYNN: I CONCUR, WITHOUT OBJECTIONS. THANK YOU.

I WILL CONTINUE. ITEM 102 AND 103 ARE RELATED CASES. CASE HAVE 14-84-360 AND ITEM 103 IS CASE C 14-2007-0076 FOR THE SMART MAIL PROMPTS AT 2200 TILLER Y STREET. THE NEIGHBORHOOD REQUESTED A POSTPONEMENT IN THIS ITEM TO THEIR NOVEMBER 8, OR EXCUSE ME, NOVEMBER 8 AGENDA, THE APPLICANT, ALTHOUGH THEY WOULD LIKE TO HEAR THIS EARLIER, AGREES TO THE POSTPONEMENT TO NOVEMBER 8th. , 2007, AND WOULD HOPE THERE WOULD NOT BE FURTHER POSTPONEMENTS. SO ON 102 AND 103 WE HAVE AN AGREED POSTPONEMENT TO NOVEMBER 8. ITEM NUMBER 105, CASE C 14-2007-0065. THIS IS A DISCUSSION ITEM. I UNDERSTAND WE HAVE NEIGHBORHOOD OPPOSITION.

MAYOR WYNN: I'M SORRY, I THINK WE SKIPPED ITEM 104.

OH, WE DID. EXCUSE ME. ITEM 104 IS CASE C 14-2007-0115, IT

IS KNOWN AS MIDBAR AT AIRPORT BOULEVARD. WE HAVE A NEIGHBORHOOD POSTPONEMENT REQUEST. APPLICANT IS OKAY TO YOUR NOVEMBER 8 AGENDA. ITEM 105 IS CASE C 14-2007-0065 FOR THE PROPERTY LOCATED AT 8 37 HIGHWAY 71. WEST. AND THIS IS GOING TO BE A DISCUSSION ITEM. ITEM 106, CASE C 814-06-0218, KNOWN AS THE LAKELINE STATION PLANNING DEVELOPMENT LOCATED AT NORTH 620 AND RUTLEDGE SPUR. THIS IS A DISCUSSION ITEM. ITEM 107, CASE NPA-2007-0016.01, AS RELATED TO THE NEXT ITEM 108 IS FOR THE PROPERTY AT 1109 SHADY LANE. THE FIRST ITEM SEMIAN AMENDMENT TO THE COMPREHENSIVE PLAN FOR THE JOHNSONVILLE VALLEY AREA AND TO CHANGE THE OFFICIAL LAND USE MAP TO REFLECT FROM COMMERCIAL TO MIXED USE FOR THAT SAME PROPERTY. PLANNING COMMISSION RECOMMENDS THE MIXED USE DESIGNATION. THIS IS READY FOR CONSENT FOR THREE READING, ITEM 108 RELATED FLOWNING ITEM FOR THAT SAME PROPERTY FROM COMMUNITY COMMERCIAL NEIGHBORHOOD PLAN COMBINED DISTRICT ZONING TO GENERAL COMMERCIAL SERVICES MIXED USE CONDITIONAL PLANNER, COMBINED DISTRICT ZONING, PLANNING COMMISSION RECOMMENDATION WAS TO GRANT GENERAL CONDITIONAL SERVICES, MIXED OVERLAY OR COMBINED DISTRICT ZONING SO FOR CONSENT APPROVAL ON THREE READINGS. ITEM NUMBER 109, 110 AND 111 ARE RELATED TO THE UNIVERSITY HILL AND THESE WILL BE DISCUSSION ITEMS. THAT CONCLUDES THE CONSENT POSTPONEMENT ITEMS I CAN OFF AT THIS TIME.

MAYOR WYNN: THANK YOU MR. GUERNSEY SOME OF COUNCIL, OUR PROPOSED CONSENT AGENDA ON THESE CASES WHERE WE HAVE YET TO CONDUCT A PUBLIC HEARING WILL BE TO NOTE THAT ITEM NUMBER 88 HAS BEEN WITHDRAWN OFF THE AGENDA, TO POSTPONE ITEMS 89 AND 90 TO NOVEMBER 8, 2007. POSTPONE ITEMS 91 AND 92 TO OCTOBER 18, 2007. TO CLOSE THE PUBLIC HEARING AND APPROVE ON ALL THREE READINGS CASES 93, 94, 95 AND 96. CLOSE THE PUBLIC HEARING AND APPROVE ON FIRST READING ONLY CASE 97, CLOSE THE PUBLIC HEARING AND APPROVE ON ALL THREE READINGS CASE NUMBER 98. TO POSTPONE CASE 100 TO NOVEMBER 8, 2007. TO CLOSE THE PUBLIC HEARING AND DENY THE ZONING CHANGE ON CASE

101. TO POSTPONE CASE, TO POSTPONE TO OCTOBER, SORRY, POSTPONE TO NOVEMBER 8, 2007 CASES 102, 103 AND 104. AND TO CLOSE THE PUBLIC HEARING AND APPROVE ON ALL THREE READINGS CASES 107 AND 108. I WILL ENTERTAIN THAT MOTION. MOTION MADE BY COUNCIL MEMBER LEFFINGWELL. SECOND BY COUNCIL MEMBER McCracken TO APPROVE THE CONSENT AGENDA AS PROPOSED. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR, PLEASE SAY AYE. OPPOSED? MOTION PASSES ON A VOTE 7-0. SO MR. GUERNSEY, BEFORE WE SORT OF CHOOSE OUR NEXT COUPLE OF DISCUSS CASES, REMEMBER THAT WE WILL HAVE A BREAK FOR LIVE MUSIC AT 5:30 AND THEN I HAD ANNOUNCED EARLIER THAT FRANKLY, RECORDLESS OF WHERE WE ARE ON ZONING WE WILL TAKE UP THE ITEM NUMBER 62 REGARDING OUR ANIMAL SHELTER, OR HOPEFULLY A MANAGEABLE PERIOD OF TIME AND THEN COME BACK TO THE ZONING CASES SO WITH 40 MINUTES LEFT, LET'S TRY HANDICAP WHICH CASES WE CAN GET DONE. IT APPEARS TO BE A COUPLE OF CASES THAT HAVE WELL OVER A DOZEN PEOPLE SIGNED UP TO SPEAK. THOSE BEING CASE NUMBER 99, WE HAVE WELL OVER 40 MINUTES OF TESTIMONY SIGNED UP FOR. AND ON CASE 106 WE HAVE AN HOUR'S WORTH OF TESTIMONY SIGNED UP FOR. WE WILL HAVE SKIP 99 AND 106 SO THAT WILL LEAVE US WITH DISCUSSION ITEM 105 TO BEGIN WITH. DOES THAT WORK, MR. GUERNSEY.

THEN I WILL PRESENT 105.

MAYOR WYNN: PARDON?

I WILL PRESENT 105.

MAYOR WYNN: PLEASE DO.

ITEM NUMBER 105 IS CASE C 14-2007-0065, THE BASSFORD 44 PROPERTY AT 8437 WEST HIGHWAY 71. THIS IS A REZONING REQUEST FROM RR RURAL RESIDENTIAL TO SF TWO, STANDS FOR SINGLE FAMILY RESIDENCE STANDING LOT. THE PLANNING EXHIBITION RECOMMENDATION WAS TO APPROVE FOR SF-2-CO FOR CONDITIONAL OVER THOUGH MAXIMIZE THE NUMBER OF RESIDENTIAL UNITS TO 90 AND LIMIT THE NUMBER OF VEHICLE TRIPS TO NO MORE THAN

2,000. THE COMMISSION ALSO PLACED A CONDITION THAT THE APPLICANT IS AGREEABLE-TO-REQUIRE SOME TRAFFIC CALMING DEVICES ON THE PASS. THE PROPERTY RIGHT NOW IS LOCATED IN THE BARTON SPRINGS ZONE, WOULD BE SUBJECT TO SOS IS IMMEDIATELY SOUTH OF STATE HIGHWAY 71, JUST EAST OF THE INTERSECTION OF COVERED BRIDGE. THE CURRENT PROPERTY HAS ACTUALLY TWO STREETS STUB OUTS, ONE TO EXISTING SUBDIVISION TO THE EAST AND ANOTHER TO THE WEST. IT HAS EXISTING SINGLE FAMILY HOMES THAT ARE LOCATED TO THE EAST AND TO THE SOUTH AND SOUTHEAST. THE ENTRANCE AND WITH SINGLE FAMILY HOME DEVELOPMENT, ALSO ALONG TO THE WEST. THAT IS ADJACENT TO COVERED BRIDGE. THE APPLICANT IS IN AGREEMENT WITH THE PLANNING COMMISSION'S RECOMMENDATION AND THE NEIGHBORS HAVE RAISED SOME CONCERNS ABOUT THE DEVELOPMENT ON THIS PROPERTY. THE PROPERTY SUNNY SKIESLY SUNNY -- PROPERTY IS CURRENTLY UNDEVELOPED AND PLANNED FOR SINGLE FAMILY HOMES UNDER THE SF-2 DESIGNATION IS APPROXIMATELY 45-ACRES OF LAND AND WOULD HAVE A DENSITY THAT IS A LITTLE LESS THAN ABOUT TWO UNITS ON AN ACRE. AT THIS TIME, I WILL PAUSE, THE APPLICANT MR. BENNETT I BELIEVE IS HERE TO SPEAK ON BEHALF OF THE APPLICANT. WYNN THANK YOU. SO ON CASE 105 THAT AGENT WOULD BE MR. JIM BENEFIT. WELCOME, VUL FIVE MINUTES TO PRESENT YOUR CASE.

THANK YOU, COUNCIL. THIS PROPERTY IS 44.6-ACRE TRACT OF GROUND SURROUNDED BY RESIDENTIAL AND COMMERCIAL TYPE USES. THERE IS SF-2 ZONING FOR THE MAJORITY OF IT, SF-1 ZONING, FM-1 ZONING. THIS IS A 44-ACRE TRACT THAT HAS A STUB OUT STREET FROM THE WEST AND A STUB OUT STREET FROM THE EAST. OBVIOUSLY FOR CONNECTIVITY, AND WE HAVE PLANNED OUR SUBDIVISION TO CONNECT INTO THOSE TWO STREETS. AT THE PLANNING COMMISSION HEARING THERE WAS QUITE A BIT OF DISCUSSION, IT WAS POSTPONED, WE WENT BACK AND REWORKED THE CASE. IT WAS DETERMINED THAT WE HAD A QUESTION ABOUT TRAFFIC GOING THROUGH THE ADJOINING NEIGHBORHOOD TO THE EAST COMING OUT TO A SIGNALIZED POINT, AND STATE REPRESENTATIVE BOLDEN IN CONJUNCTION CAN TxDOT AND IN CON JUNK WITH THE

COUNTY AND THE CITY -- CONJUNCTION WITH THE COUNTY AND THE CITY IT WAS IN THE DEAL BOUGHT SIGNALIZATION AT THE COVERED BRIDGE SO IT MAKES IT SAFER COMING OUT ON TO 71. DURING THOSE DISCUSSIONS IT WAS ALSO POINTED OUT THAT PERHAPS WE COULD DO SIDEWALKS ALONG MOCCASIN PASS. AT THAT MEETING SOME NEIGHBORS DIDN'T WANT SIDEWALK, SOME DID WANT SIDEWALKS SO THE SIDEWALK FELL AWAY. HOWEVER, WE DID AGREE AND HAVE COMMITTED TO FUNDING \$15,000 WORTH OF TRAFFIC PILLOWS IN THE SUBDIVISION TO THE EAST AND THAT IS A FUNDED COMMITMENT THAT WE'VE MADE, AND WE WILL LEAVE IT UP TO THE NEIGHBORHOOD PEOPLE TO DECIDE WHERE AND WHEN AND THE CITY TO WHERE THOSE PILLOWS SHOULD PLACED. AS INDICATED BY STAFF, PLANNING COMMISSION RECOMMENDED IT AND STAFF RECOMMEND WE ARE COMMITTED TO 90 LOTS ON THIS 44.6-ACRE TRACT, AND WE THINK THIS IS A GOOD SUBDIVISION. IT CARRY AS LOT OF OPEN SPACE WITH IT, APPROXIMATELY 35-ACRES, I'M SORRY, 35% OF OPEN SPACE IN OUR PROPOSED PRELIMINARY LAY OUT OF THE SUBDIVISION, AND WE THINK THAT IT IS CERTAINLY GOOD SUBDIVISION, AND WE WILL MEET YOUR ORDINANCE REQUIREMENTS. SOME OF THE THINGS THE NEIGHBORHOOD MAY ASK OF YOU ARE THINGS THAT ARE NOT UNDER OUR CONTROL SUCH AS BOUNDARY STREET IMPROVEMENTS NOT BEING APPLIED IN THE STUB IN STREET ON MOCCASIN PASS. IF THE STAFF REQUIRE IT IS OR THE ORDINANCE REQUIRE IT, I WILL HAVE TO DO THAT. MAYOR, I BELIEVE THAT CONCLUDES AND IF YOU HAVE ANY QUESTIONS I WILL CERTAINLY BE GLAD TO ANSWER THEM.

MAYOR WYNN: THANK YOU, MR. BENNETT. QUESTIONS FROM THE AGENT? COUNCIL? AT THIS TIME NORMALLY WE HEAR FROM SMOKERS SIGNED UP TO TESTIFY IN FAVOR OF THE CASE. THERE ARE NONE. WE THEN GO TO FOLKS IN OPPOSITION. WE HAVE ONE SPEAKER, THAT BEING VICKY GARCIA. MISS GARCIA IS HERE, AND IS WELCOME TO COME GIVE TESTIMONY. TESTIMONY. WELCOME, MA'AM. YOU HAVE THREE MINUTES AND FOLLOWED BY A ONE-TIME THREE MINUTE REBUTTAL FROM THE AGENT IF APPROPRIATE.

I WOULD LIKE TO -- I DO HAVE PICTURES. MY NAME IS VICKY

GARCIA, I LIVE AT 84 -- MAY I SIT DOWN.

MAYOR WYNN, YOU MAY, FAN HAVE YOU PHOTOS, CAN HELP YOU SHOW THEM ON THE SCREEN IF THAT WOULD HELP YOUR CASE.

MY NEIGHBORHOOD DOESN'T HAVE A NEIGHBORHOOD ASSOCIATION SO THROUGH DEFAULT I'VE COME. THROUGH DEFAULT I'VE BEEN, I'M NOT USED TO THIS.

MAYOR WYNN: YOU ARE DOING FINE, BUT IF YOU WOULD SPEAK INTO THE MICROPHONE IT WOULD HELP US ALL.

ALL RIGHT. THIS PICTURE, JUST IF YOU WOULD LIKE TO SEE, THAT IS THE CORNER OF MOCCASIN PATH TO THE STUB GOING INTO THE PROPERTY. MY NAME IS VICKY GARCIA, I LIVE AT 8402 MOCCASIN PATH WHICH IS THE NORTHEAST CORNER IN SMOKY MILL, AND AGAIN I'M NOT USED TO THIS BECAUSE WE DON'T HAVE A NEIGHBORHOOD ASSOCIATION. THE FIRST PAGE IS A SUMMARY OF WHAT I'M GOING TO, A SUMMARY OF THE FOLLOWING PAGES. OUR REQUEST FOR AMENDMENTS TO THE ZONING APPROVAL ARE AS FOLLOWS: KEEP THE STUB OF MOCCASIN PATH BETWEEN SMOKY HILL AND THE PROPERTY AT THE EXISTING WIDTH OR THE 18 FEET. I UNDERSTAND IT IS 18 FEET. THE EXISTING STUB NOT HAVE CURBS OR GUTTERS OR SIDEWALKS, WE ASK THAT THESE IMPROVEMENTS, THE IMPROVEMENTS TO THIS SECTION NOT INCLUDE WIDENING OR ADDING CURBS, GUTTERS OR SIDEWALKS. THE PURPOSE OF THIS IS TWOFOLD, TO KEEP THIS SECTION COMPATIBLE WITH THE SURROUNDING STREETS. AND THESE ARE PICTURES OF THE SURROUNDING STREETS, AND YOU WILL SEE THEY ALL DON'T HAVE CURBS OR GUTTERS, AND THEY ARE ALL ABOUT 18 TO 20 FEET WIDE. AND TO COMMUNICATE TO THE DRIVERS EXITING THROUGH THIS ACCESS POINT THAT THEY ARE ENTERING A PEDESTRIAN STREET. THESE STREETS WE HAVE SCHOOL BUS KIDS, HIGH SCHOOL KIDS, THE HIGH SCHOOL LETS OUT AT 5:00 AND THERE IS ONE STREET LIGHT AND SO THERE IS NOT A LOT OF LIGHT FOR THE HIGH SCHOOL KIDS. THIS ACCESS POINT, WE UNDERSTAND THE PROBLEM, THE CONCERN OF THE CITY IS THAT THE ACCESS POINT OF MOCCASIN PATH REMAIN VIABLE TO EMERGENCY VEHICLES DOING THIS IMPROVEMENT WOULD ALLOW THAT

THIS, WOULD ALSO MARGINALLY REDUCE THE EXPENSE TO THE PROPERTY OWNER TO IMPROVE THE STUB. THE DEVELOP -- NUMBER TWO, THE DEVELOPERS CONCEDED THAT BUILDING A SIDEWALK ON MOCCASIN PATH WOULD BE TOLERABLE. THAT IS WHAT WAS MENTIONED WAS THE MONEY, WE BELIEVE IT WOULD BE BETTER SERVED IN THE SPEED PILLOWS ALONG MOCCASIN PATH IN EQUAL DISTANCE ALONG SMOKY HILL. IN ADDITION THE REDUCED EXPENSE OF DEVELOPING THE STUB WE ARE ASKING IN ADDITION THE REDUCED EXPENSE OF DEVELOPING THE STUB IMPROVING THE STUB BE USED TOWARDS THE SPEED PILLOWS, A REASONABLE TIME FRAME WOULD BE APPROXIMATELY 50% BUILD OUT OF THE PROPERTY. THE THIRD WOULD BE TO INSTALL A SPEED BUMP ON THE STUB CLOSER TO THE PROPERTY LINE, THIS WILL ALLOW, THIS WILL SLOW DOWN THE TRAFFIC EXITING THE PROPERTY THAT WILL BE ENTERING THE NARROWER PEDESTRIAN STREETS OF THE SURROUNDING NEIGHBORHOOD AND IF A SPEED BUMP, WE UNDERSTAND THERE MIGHT BE PROBLEMS WITH IT BEING A SPEED BUMP AND IF THAT IS NOT ALLOWED THEN MAYBE CONSIDER A SPEED PILL THROW SLOW DOWN AND THEN FOUR, WE WOULD ALSO ASK NO SIGNAGE, AND WE THINK THE DEVELOPER IS IN AGREEMENT WITH THAT. SO I'M JUST ASKING THAT THIS BE PUT IN THE RECORD. I UNDERSTAND IT IS JUST FOR DISCUSSION. BUT THESE ARE OUR ITEMS. IF YOU HAVE ANY, IF THAT IS MY LIMIT.

MAYOR WYNN: THANK YOU MISS GARCIA. QUESTIONS FOR MISS GARCIA. COUNCIL MEMBER McCRACKEN.

THIS IS AN AREA OF A SCHOOL ZONE?

THE ELEMENTARY BUS GOES, THERE IS A 3-YEAR-OLD RIGHT NOW, FAMILY WITH A 3-YEAR-OLD. THE OAK HILL SCHOOL BUS GOES UP MOCCASIN PATH, MY DAUGHTER GREW UP, THE NEIGHBOR, EVERYONE, THE ELEMENTARY SCHOOL BUS GOES UP MOCCASIN PATH. THE MIDDLE SCHOOL BUS IS DOWN THERE AT THE CORNER OF SMOKY HILL AND RED WILLOW, BUT THAT BUS, IN THE AFTERNOON, LETS OFF ABOUT 3:00, SO IT IS STILL DAYLIGHT. THE BUOY HIGH SCHOOL BUS, AND I KNOW THERE, BUOY, THERE ARE STILL

KIDS THAT DO RIDE THE BUS --

THE QUESTION IS, THE REASON I ASKED THE QUESTION ASK WHERE ARE CHILDREN GOING TO WALK IF THERE ARE NO SIDEWALKS?

CURRENTLY, THEY WALK UP THE STREET.

I'VE GOT TO TELL YOU, I HAVE DEEP MISGIVINGS ABOUT, WE ARE TRYING TO UNDO DECADES OF BAD DECISIONS ABOUT NOT PUTTING SIDEWALKS ON STREETS, AND I LIVED ON A STREET WITHOUT A SIDEWALK IN WITH SPEED BUMPS AND IT DIDN'T DO ANYTHING TO SLOW DOWN TRAFFIC AND WITH KIDS HAVING NO FLIES GO AND HAVING TO WALK IN THE STREET IS A VERY CONCERNING THING FOR ME. I DON'T THINK I CAN SUPPORT NO SIDEWALKS. PARTICULARLY GIVEN THE FACT YOU JUST TOLD US, AND I UNDERSTAND THE CONCERN ABOUT KEEPING CARE OF THE STREET, BUT PARTICULARLY GIVEN THE FACT THERE IS A LOT OF SCHOOL KIDS AND SCHOOL BUSES, I THINK FORCING THE CHILDREN TO WALK IN THE STREET IS NOT A GOOD NEIGHBOR-FRIENDLY THING TO DO.

ORIGINALLY WITH THE PLANNING COMMISSION, WHAT WE HAD REQUESTED, BECAUSE WE HAD RECOGNIZED THAT, WAS THAT THE DEVELOPER THE DEVELOPER INVESTIGATE ALTERNATIVES, SECOND ACCESS POINT, OTHER THAN MOCCASIN PATH, BECAUSE THAT ITEM WAS WHAT WAS BROUGHT UP. AND I BELIEVE THAT THE CITY HAS TOLD ME THAT MOCCASIN PATH HAS DECIDED TO BE THE SECOND ACCESS POINT WHICH THE NEIGHBORHOOD DOESN'T REALLY AGREE WITH. WE BELIEVE THAT THERE IS A POSSIBLE SECONDS A SECTOR POINT -- A SECOND ACCESS POINT TO THE PROPERTY, BUT IT WOULD BE MORE COSTLY TO THE DEVELOPER SO THE DEVELOPER IS NOT BEHIND THAT. SO GIVEN THAT WE, NEIGHBORHOOD, HAVE OUR HANDS TIED, THAT WE HAVE TO ACCEPT THAT MOCCASIN PATH IS THE SECOND ACCESS, BECAUSE THE DEVELOPER, IT WOULD BE AN ADDITIONAL COST TO THE DEVELOPER, THIS IS THE BEST SOLUTION WE CAN FIND TO ENCOURAGE DRIVERS TO USE THE NANDIAS PATH EXIT AND WITH OUR RECOMMENDATION --

I'M SORRY. I ACTUALLY AGREE WITH YOU ABOUT NOT WIDENING THE STREET GREATER THAN 20 FEET, I THINK THAT IS A GOOD WAY TO KEEP SOME TRAFFIC SLOW AND TO CREATE THE STREET AS A PEDESTRIAN-ORIENTED CHARACTER, AND I THINK THAT IS A GOOD RECOMMENDATION IN A NEIGHBORHOOD. I SUPPORT YOU ON THAT ONE. BUT I DON'T, I DON'T THINK IT IS SAFE OR GOOD TO ALSO SAY WE WILL FORCE KIDS TO WALK IN THE STREET AND PROHIBIT SIDEWALKS IT. SOUNDS THAT I CAN R LIKE THAT IS DRIVEN BY AESTHETICS, NOT WANTING TO CHANGE THE CHARACTER. WE CAN GO, WE MAY BE ABLE TO GET NARROW STREET, BUT WE SHOULD PARTICULARLY GIVEN THE FACT THERE ARE KID'S SCHOOL BUSES, SHOULD NOT HAVE A NEIGHBORHOOD POSITION SAY NOTHING SIDEWALKS. I THINK THAT IS AN ABDUCATION.

MAY I.

MAYOR WYNN: BRIEFLY, YOUR TIME IS EXPIRED.

MAY SKI THAT THE SIDEWALKS BE ON THE ROAD FROM THE CORNER OF MOCCASIN PATH DOWN TO RED WILLOW AS OPPOSED TO THE SIDEWALKS BEING AS HAD BEEN PROPOSED, ALL WAIT DOWN MOCCASIN PATH. BECAUSE THE CHILDREN THAT WILL BE WALKING ON THE STREETS WILL BE GETTING OFF AT SMOKY HILL, AT RED WILLOW AND WALKING UP SMOKY HILL AND THAT IS WHERE THE STUB IS. THE STUB IS AT --

OKAY THANK YOU. I'M SORRY, WE HAVE TO GET ON WITH THIS. I WOULD LIKE MR. BEEN NOTE TO ADDRESS THAT. I DON'T THINK I WILL ALSO BE ABLE TO SUPPORT ANY DRAW BACK IN SIDEWALKS. I DON'T THINK THAT IS GOOD FOR PLANNING FOR STARTERS. MR. BENNETT IF YOU WOULD HAVE A MOMENT IN YOUR THREE MINUTES.

MAYOR WYNN: MR. BENNETT NOW HAS HIS THREE-MINUTE REBUTTAL. WELCOME BACK MR. BENNETT.

COUNCIL MEMBER, THIS SUBDIVISION IS A HAVE YOU BEEN DIVISION OF WHICH MISS GARCIA LIVES IN, AND IT IS THE EXISTING SUBDIVISION APPROVED WHEN IT WAS IN THE COUNTY, SINCE AND NEXTED BY THE CITY. -- ANNEXED BY

THE CITY. WE ARE CERTAINLY MEETING ALL THE CITY'S REQUIREMENTS FOR SIDEWALK, CURBS AND GUTTERS AND WHAT YOU OUR SUBDIVISION. THE CONNECTION POINT FOR CONNECTIVITY IS HERE, WHEN THIS SUBDIVISION WAS APPROVED IS AT THIS LOCATION RIGHT HERE, AND AT THIS LOCATION RIGHT HERE. THE CITY'S REQUIRING US TO HAVE TWO ACCESS POINTS BECAUSE OF A 30-LOT SUBDIVISION SO WE HAVE TO HAVE TWO WAYS IN. TO EXPLORE A LITTLE BIT MORE ON THE SIDEWALK ISSUE, WE WERE DISCUSSING AT PLANNING COMMISSION PERHAPS ABOUT PLOT PUTTING IN A SIDEWALK ON THE PASS. THERE WERE SOME NEIGHBORS THAT WANTED SIDEWALKS AND SOME NEIGHBORS THAT DIDN'T WANT SIDEWALKS. WE HAD AGREED WITH PLANNING COMMISSION TO INSTALL SIDEWALKS ON ONE SIDE OF THAT STREET, WHICH EVER SIDE THE NEIGHBORHOOD DECIDED THEY COULD GET A CONSENSUS TO PUT THEM IN SO AS A RESULT OF NOT GETTING A CONSENSUS TO PUT THOSE IN IT WAS DETERMINED THAT PROGRAMS THE MONEY COULD BE BETTER SPENT TO SLOW CARS DOWN RATHER THAN HAVE SIDEWALKS. WE DON'T HAVE ANY SCHOOLS IN OUR AREA, IT IS MORE OR LESS RURAL STILL SO THE SCHOOL BUS PICKEDst UP AND DROPS OFF CHILDREN FROM DIFFERENT AREAS WITHIN THE NEIGHBORHOOD. OUR SUBDIVISION WILL HAVE SIDEWALKS IN IT. WE HAD TO BUILD THEM ACCORDING TO CITY STANDARDS. THE QUESTION WAS OVER IN THE ONE THAT WAS PREVIOUSLY APPROVED BY THE COUNTY. NONE 6 THE STREETS AS I UNDERSTAND IT HAS SIDEWALKS OVER HERE SO WE COULDN'T LOOK AT COMMITTING SIDEWALKS IN THE WHOLE SUBDIVISION OBVIOUS LEAGUE BECAUSE -- OBVIOUSLY BECAUSE IT IS REALLY NOT A PART OF OUR AREA FOR APPROVAL. THIS WILL COMPLY. LOOK AT OTHER ALTERNATIVES TO GAIN ACCESS SO PERHAPS THEY WOULDN'T COME IN. ONE POINT WAS AT THIS CUL-DE-SAC HERE, EASIER TO DEVELOP LOTS WITH HOMES ON THEM SO WE COULDN'T COME IN HERE. WILLIAMSON CREEK IS RIGHT HERE SO THAT WOULD REQUIRE A BRIDGE CROSSING AND TO THE SENSITIVE WILLIAMSON CREEK AND WAS NOT ACCESSIBLE, OBTAINABLE BY US AS WELL. SO IN TRYING TO ADDRESS MOST OF THE CONCERNS WE HEARD AT THE PLANNING COMMISSION AND CAME BACK, THIS IS THE SOLUTION WE CAME UP WITH AND WE'VE HAD THREE DISCUSSIONS WITH MISS GARCIA AND HER FOLKS, TRYING

TO TAKE CARE OF AS MUCH AS MITIGATE AS MUCH OF THEIR CONCERNS AS WE COULD, AND THAT IS THE REASON WE COMMITTED TO PUTTING THE \$15,000 IN ESCROW SO THAT THOSE PILLOWS COULD BE PLACED IN THEIR SUBDIVISIONS TO SLOW ANY TRAFFIC DOWN, AND WE ALSO AGREED TO PUT PILLOWS AT THE ENTRY POINTS IN OUR SUBDIVISION TO HELP SLOW ANY TRAFFIC DOWN. WE DON'T WANT TO HER PEOPLE SPEEDING THROUGH OUR NEIGHBORHOOD OR OUR PEOPLE THROUGH HERS THAT WOULD LEAD PEOPLE TO GO OUT THAT WAY AND NOT NECESSARILY THROUGH HER SUBDIVISION. IF YOU HAVE ANY QUESTIONS, I WILL BE AVAILABLE.

MAYOR WYNN: THANK YOU MR. BENEFIT NET. QUESTIONS FOR -- MR. BENNETT. QUESTIONS FOR THE AGENT COUNCIL? COMMENTS? CASE 105. MR. GUERNSEY, WHAT IS STAFF PREPARED FOR AND REMIND US AGAIN OF THE STAFF RECOMMENDATION.

THIS IS ONLY READY FOR A FIRST READING THIS EVENING, MAYOR AND COUNCIL, AND THE STAFF RECOMMENDATION WAS TO GRANT THE REQUEST WITH A TRIPLE LIMITATION. THE COMMISSION ADDED THE ADDITIONAL CONDITION THE APPLICANT IS A AGREEABLE TO FOR THE TRAFFIC IMPROVEMENTS THAT WOULD ADD FOR CALMING. WHATEVER IMPROVEMENTS THAT WOULD BE PROVIDED FOR AND TYPICALLY THESE IMPROVEMENTS WOULD BE ADDRESSED AS FAR AS STREET CONNECTIONS AND WITH THE STREET SOME TIME IN THE SUBDIVISION PROCESS, THAT WOULD ISSUE THE TIME WOULD BE ADDRESSED, BUT THEY WOULD HAVE TO BE APPROVED BY A PUBLIC WORKS DEPARTMENT AS FAR AT PILLOW CONSTRUCTION OR SPEED BUMPS OR WITH THE SIDEWALKS IN THIS AREA SO I WILL JUST MAKE THAT KNOWN. WE ARE ONLY READY FOR FIRST READING. IF YOU DESIRE TO GO THROUGH AND APPROVE THE COMMISSION'S RECOMMENDATION, THAT DID INCLUDE THE ADDITIONAL ITEM THAT THE APPLICANT CERTAINLY WOULD AGREE WITH AND THAT WOULD BE PROVISIONS FOR ADDITIONAL MONIES FOR THE CONSTRUCTION OF TRAFFIC AND CALMING IMPROVEMENTS.

MAYOR WYNN: THANK YOU MR. GUERNSEY. QUESTIONS OF

STAFF? MAYOR PRO TEM.

DUNKERLEY: SO MR. GUERNSEY YOU'VE INCLUDE HAD HAD IN YOUR RECOMMENDATION THE TRAFFIC CALMING IN LIEU OF SIDEWALKS?

THE STAFF'S RECOMMENDATION WHEN WE ADDRESSED THE MAXIMUM UNITS AND ADDRESSED THE TRIPS NOT SPEAK TO SIDEWALKS OR THE TRAFFIC CALMING.

DUNKERLEY: THE PROPOSAL I HEARD FROM MR. BENNETT IS THAT ORIGINALLY HE HAD PROPOSED SIDEWALKS ALONG THAT AREA AND THAT THE NEIGHBORHOOD'S REQUEST CHANGED THAT TO TRAFFIC CALMING. DID UNDERSTAND THAT CORRECTLY?

THAT IS WHAT I UNDERSTAND IS THAT HE WAS WILLING TO PROVIDE THAT TRAFFIC CALMING.

DUNKERLEY: IN THE DEVELOPMENT UNDER CONSIDERATION THERE WILL BE SIDEWALKS IN THAT DEVELOPMENT?

WITHIN THIS DEVELOPMENT THAT MR. BENNETT REPRESENTS THERE WILL BE SIDEWALKS THAT WOULD BE PROVIDED AND THE STUB OUT STREET THAT I BELIEVE IS MOCCASIN THAT COMES OUT ON TO THE EAST THERE WOULD BE IMPROVEMENTS FOR THAT EXTENSION AS THERE WOULD BE A STREET CONNECTION FROM SMOKY HILL TO THE SUBDIVISION VIA MOCCASIN.

DUNKERLEY: I'M FAMILIAR WITH THIS AREA AND I GUESS I DON'T UNDERSTAND WHY A NEIGHBORHOOD WOULDN'T WANT SIDEWALKS AS FAR AS THEY COULD GET THEM. AS A WAY TO BEGIN HAVING THAT AMENITY FOR ANYBODY THAT WANTS TO WALK ALONG THOSE ROADS. THAT IS A RHETORICAL QUESTION.

WHAT STAFF CAN DO IS GET WITH OUR TRANSPORTATION PUBLIC WORKS STAFF AND LOOK AT WHAT SIDEWALKS WOULD BE CONTEMPLATED WITH THE EXTENSION OF THE STREET FROM THE, ALONG MOCCASIN TO SMOKY HILL, WHAT IMPROVE. S WE WOULD LOOK AT AND WHAT WOULD BE THE MINIMUM WIDTH THAT WOULD BE PROVIDED FOR

AND PROVIDE INFORMATION WHEN WE BRING THIS BACK IF YOU APPROVE THIS TODAY FOR SECOND AND THIRD READING SO WE CAN GIVE YOU A CROSS SECTION 6 THE STREET, WHAT THAT WOULD LOOK LIKE AND PROVIDE IT TO THE NEIGHBORHOOD AND ALSO TO MR. BENNETT.

DUNKERLEY: IF WE MOVE TODAY FOR THE STAFF RECOMMENDATION WE CAN ALWAYS CLARIFY THAT AT THE NEXT, ON FIRST READING QUO CLARIFY THAT IN THE NEXT COUPLE.

THAT IS CORRECT. THAT WOULD BE A PLANNING COMMISSION RECOMMENDATION.

DUNKERLEY: OKAY. WITH THE SIDEWALKS.

YES.

I WILL MOVE TO APPROVE ON FIRST READING THE PLANNING RECOMMENDATION.

MAYOR WYNN: MOTION BY COUNCIL MEMBER McCracken AND SECOND BY MAYOR PRO TEM TO CLOSE THE PUBLIC HEARING AND VOTE ON PLANNING RECOMMENDATION ITEM 105. FURTHER COMMENTS?

DOES THAT INCLUDE THE COMMITMENT BY US WITH THE 15,000 IN ESCROW, COUNCIL MEMBERS? THAT IS A SIDE AGREEMENT, NOT SOMETHING THE COMMISSION HAS REQUIRED. MY UNDERSTANDING WAS THE PLANNING COMMISSION RECOMMENDATION SAID THE SIDEWALKS ON THE STUB OUT STREET IN LIEU OF THE -- THE PLANNING COMMISSION RECOMMENDATION WAS SPOKE TO TRAFFIC CALMING AS BEING PART OF THEIR RECOMMENDATION AND WHEN I SENT FOR MR. BENNETT HE HAS OFFER TO DO SO PROVIDE \$15,000 I GUESS IN AN ESCROW ACCOUNT TO OFFSET THE COST OF THOSE TRAFFIC CALMING MEASURES.

WHAT DOES THAT MEAN IN TERMS OF THE SIDEWALKS ON THE STUB OUT STREET?

WELL THE STUB OUT WOULD HAVE STOCK CONSTRUCTED TO CITY STANDARDS. I THINK GEORGE CAN COME UP AND

SPEAK TO THIS, BUT I UNDERSTAND THERE ARE DIFFERENT DESIGNS FOR STREET STANDARDS, BUT WE WOULD LOOK AT SIDEWALKS AS BEING PART OF THAT.

THE PROPOSAL, THE PLANNING COMMISSION DID ON THE CONNECTOR STREET THEN WHERE IT STUBBED OUT.

YES, COUNCIL MEMBER, THE EXISTING, ALTHOUGH THE RIGHT OF WAY EXISTS, MY UNDERSTANDING THE PAVEMENT IS NOT THERE SO IT WOULD HAVE TO BE CONSTRUCTED AS A NEW STREET TO CITY STANDARDS. THE MINIMUM WIDTH NORMALLY WOULD BE 24 FEET WITH RIBBON CURB ON EACH SIDE TO PREVENT DETERIORATION OF THE EDGE & THE PAVEMENT, AND SIDEWALK WOULD BE REQUIRED ON BOTH SIDES & THE STREET NORMALLY, AT LEAST FOR THAT SHORT HALF BLOCK THERE. THERE WAS DISCUSSION PREVIOUSLY ABOUT EXTENDING THE SIDEWALK FARTHER EAST ALONG MOCCASIN TRAIL THAT WOULD NOT BE A NORMAL REQUIREMENT OF THE SUBDIVISION BECAUSE THAT IS OFF SIDE. -- OFF SITE.

LET'S HEAR THE PLANNING COMMISSION RECOMMENDATION AND GET THIS SORTED OUT BEFORE SECOND READING AND MY RECOMMENDATION.

AGREED.

MAYOR WYNN: MOTION TO SECOND ON THE TABLE TO CLOSE THE PUBLIC HEARING AND APPROVE ON FIRST READING ONLY, ITEM 105. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEA SAY EYE. OPPOSED? PASSAGE OF FIRST READING ONLY ON A VOTE 7-0. I BELIEVE WE COULD TAKE UP ITEM 106 ON QUICK ORDER. AS I MENTIONED EARLIER, AN HOUR OR SO WORTH OF FOLKS SIGNED UP TO GIVE US TESTIMONY, ALL IN FAVOR SO MY INSTINCT IS GLADLY HAVE THOSE NAMES PUT IN THE RECORD AND FOR THERE TO BE TWO OR SO MAIN SPEAKERS. OUR FIRST SIGNED UP WAS DAVID, PERHAPS IF HE WOULD, WHO I SUPPOSE IS THE AGENT FOR THE PROPERTY COULD SORT OF BRIEFLY INTRODUCE ANSWER THEN WE HAVE A RENOWNED SPEAKER PETER CAPITAL WHO COULD PROBABLY WALK US THROUGH THE MAJORITY

OF THE ISSUES RECORDING THE PLAN.

WE AGREE THE PLANNING RECOMMENDATION AND TODAY WE GAVE THE STAFF A DETAILED LETTER THAT EXPOUNDED ON ADDITIONAL ISSUES WITH THE COUNCIL MEMBERS AND COUNCIL AIDS, HAVING TO DO WITH GREEN BUILDING AND THOSE KINDS OF THINGS. I WILL BE VERY BRIEF BUT LAKELINE STATION IS A VERY SIGNIFICANT PROJECT IN THE LIFE OF OUR CITY. AGAIN, WE AGREE WITH THE PLANNING COMMISSION, BUT THERE ARE TWO STAFF-DRIVEN DISCUSSION, ONE HAS ROADWAY DESIGN, AND I WILL LET PETER ADDRESS THAT. THE OTHER IS OPEN SPACE. THE PUD PROPOSES 20% OPEN SPACE, THE STAFF REQUESTED 30%, THE RESULT WOULD BE A SIGNIFICANT LOSS OF DENSITY AT A LOCATION THAT IS REALLY APPROPRIATE FOR MORE DENSITY ADJACENT TO THE TRANSIT STATION. AS A COMPROMISE, THAT WAS WORKED OUT AT THE PLANNING COMMISSION, WE AGREED, THE DEVELOPER AGREED TO CAN'T SOME \$128,000 TOWARD OPEN SPACE ACQUISITION EITHER THREE THE BCP OR ANOTHERING AGENCIES A DIRECTED BY THE CITY. THE PUD WE KNEW HAD TO MEET A HIGHER STANDARD IN ALL RESPECTS, WHETHER IT IS ENVIRONMENT OR ANY OTHER ASPECT OF THE CITY REQUIREMENTS BUT WITH YOU WE KNEW THE ENVIRONMENTAL ASPECT IS THE FOCUS. WE ADDED WET PONDS AND INCREASED THE CAPTURED VOLUME BY 20% AND CAPTURING ROOFTOP RUN OFF FROM THE COMMERCIAL STRUCTURE, ALL 6 THOSE EFFECTIVELY RESULT IN A LOWER IMPERVIOUS COVER. WE ARE DOING TWO STAR GREEN BUILDING PLUS, AND THE PLUS IS FAIRLY SIGNIFICANT AND THAT WAS OUT LINED IN OUR LETTER TODAY TO THE STAFF. THE PROJECT INCLUDED AN IPM PROGRAM, WE'VE EMBRACED THE CITY'S BOUGHTER CONSERVATION PROGRAM THAN IS AN AFFORDABILITY 10% AT 80% OF MEDIAN INCOME, AND I HOPE THE COUNCIL WILL SHARE IN THE DEVELOPER'S DIVISION TWO ACHIEF THE PROPER BALANCE OF ENVIRONMENTAL CONCERNS OF DENSITY AT AN APPROPRIATE LOCATION. NOW I WOULD LIKE TO INTRODUCE PETER, HE LITERALLY WROTE THE BOOK ON TRANSIT DEVELOPMENT, HE IS WORLDWIDE RESPECTED AS A LAND PLANNER AND IF YOU TALK TO HIM THE STORIES HE CAN TELL ARE AMAZING ABOUT ALL THE THINGS HE IS DOING

ACROSS THE WORLD. HERE IS THE ROCK STAR OF URBAN PLANNING [LAUGHTER]

MAYOR WYNN: WELCOME BACK.

HE MAKES IT SO DIFFICULT TO MAKE A PRESENTATION AFTER AN INTRODUCTION LIKE THAT. THANK YOU FOR HEARING THIS SO QUICKLY HERE. YOU KNOW, IT IS FASCINATING, THIS PROJECT I TOOK ON BECAUSE I FELT IT WAS REALLY IMPORTANT THAT THE CITY HAVE IN THE OUTER SUBURBS A REALLY GOOD MODEL OF TRANSIT-ORIENTED DEVELOPMENT AND THIS SEEMS LIKE THE PERFECT LOCATION FOR THAT MOD TOLL GET ROLLED OUT AND TESTED AND I GUESS WE ARE TESTING IT NOW THROUGH THE PUBLIC PROCESS AND THEN WE WILL TEST IT IN THE MARKETPLACE AND THEN TEST IT SOCIOLOGICALLY ON ALL THESE LEVELS BUT IT IS VERY IMPORTANT BECAUSE IT SEEMS TO ME THIS REGION IS EMBARKING ON A DIFFERENT KIND OF DIRECTION FOR LAND USE AND DEVELOPMENT AND OBVIOUSLY TRANSIT-ORIENTED DEVELOPMENT IS A BIG PART OF THAT AND GETTING IT RIGHT IS REALLY IMPORTANT. NOW WHAT IT MEANS AND WHAT IS INTERESTING IS IT HAS COME UP IN CONFLICT WITH STANDARDS THAT ARE ALREADY IN EXISTENCE AND THAT IS PRETTY NORMAL BECAUSE STANDARDS PRODUCE STANDARD ENVIRONMENT, YOU GET STANDARD SUBURBS WHEN HAVE YOU STANDARD STREET SECTIONS AND STANDARD REQUIREMENTS FOR DENSITIES AND THINGS LIKE TO AND WHEN YOU WANT TO CREE AT AN EXTRAORDINARY PLACE THAT RESPONDS TO A VERY PARTICULAR CONTEXT YOU HAVE TO BREAK THE STANDARDS SO I GUESS THAT IS THE TWO ISSUES WE HAVE BEFORE US. I WILL SHOW YOU SOME SLIDES WHICH MAY BE, I EXPECT REALLY REDUNDANT FOR MOST OF YOU BECAUSE I THINK YOU ARE ALL VERY WELL READ ON THIS MATTER, HOW I DO ADVANCE THE SLIDE. SHOULD I LOOK AT YOU AND SAY GO, IS THAT THE WAY? OKAY SO WHAT ARE TODDES. MOST IMPORTANT IS COMPACTIVE OWNER. OH, THERE IS ONE. THANK YOU, THIS MAKES IT MUCH BETTER. COMPACT, I MEAN, YOU KNOW, CAN YOU NOT SUPPORT A TRANSIT SYSTEM WITHOUT DENSITY. AND THERE ARE APPROPRIATE DENSITIES IN DIFFERENT PARTS OF THE REGION. YOU CAN'T PUT THE DENSITY IN THE OUTER SUBURBAN STATIONS THAT

YOU PUT HIGH TOWN BUT HIGHER THAN NEARBY SUBDIVISIONS OR MORE TYPICAL ORGANIZATIONS SO THERE IS A HIGH, A LAYERING OF CONNECTION THAT IS IMPORTANT TO RECOGNIZE HERE. THE HIGHER DENSITY LEADS TO HIGHER IMPRESSUROUS AND THAT IS THE -- IMPERVIOUS. IT HAS GOT TO BE DIVERSE AND MIXED IT. HAS GOT TO BE DIVERSE IN TERMS OF THE POPULATION, IN TERMS OF THE HOUSING TYPES AND IN TERMS 6 THE LAND USES. THERE HAVE TO BE LOCAL SERVICES, ALL THE BENEFITS OF MIXED USE WHICH IS SOMETHING THAT IS USEFUL EVERYWHERE NO MATTER WHAT YOU BUILD IT PROBABLY WOULD BE BETTER OFF IF IT WERE DIVERSE AND MIXED USE AND WORKABLE, BUT PARTICULARLY SO AT TRANSIT STATIONS WHERE YOU NEED TO BE ABLE TO RUNNER RANDS ON YOUR WAY TWO -- RUNER LANDS ON THE WAY TO AND FROM THE STATION AND THE FINAL ELEMENT IS PEDESTRIAN FRIENDLINESS, HAVE YOU TO BE ABLE TO WALK COMFORTABLY. IF YOU ARE GOING TO GET IN EWE CAR AND DRIVE FOR A QUARTER MILE AND PUT YOUR CAR IN A PARK-AND-RIDE LOT THAT IS NOT REALLY ACCOMPLISHING THE GOAL IN TRANSIT-ORIENTED DEVELOPMENT. IN THOSE AREAS EVEN OUT HOW THAT HALF A MILE A BIKE AND PEDESTRIAN CAN GET EASILY AND COMFORTABLY AND SAFELY TO AND FROM THE TRANSIT LOCATION WHICH IS ALSO PROBABLY HIS OR HER TOWNSEND TER THAT COMES INTO -- TOWNCENTER THAT COMES IN THIS SITE. LAKELINE BOULEVARD IS A MAJOR ARTERIAL, DESIGNED FOR 45-MILE PER HOUR SPEED LIMITS, HENCE YOU CAN'T PARK CARS ON THEM, HENCE I CAN'T HAVE HOUSES ON THEM, AND IT IS IN HOSPITABLE PET ENVIRONMENT -- PEDESTRIAN ENVIRONMENT. BUT I ALWAYS, BECAUSE I DO REGIONAL PLANNING AS WELL AS URBAN DESIGN, STARTED A REGIONAL SCALE AND WE'VE DONE STUDIES LOOKING AT THE LARGER GROWTH PANT TERMS AND ITS IMPLICATIONS, BOTH ENVIRONMENT ' IN TERMS OF AFFORDABILITY AND IN MANY OTHER DIMENSIONS. I WILL NOT GO INTO ANY GREAT DEPTH. THIS IS WHERE WE WERE SEVEN YEARS AGO, OR YOU WERE. THIS IS THE BASE SCENARIO WHICH IS KIND OF BUSINESS AS USUAL SPRAWL INTO THE OUTER AREAS, AND THE CAMPO 20/30 NETWORK WHICH ISN'T AS ROBUST. IN ALL CASES THE NORTHWEST LINE IS THE BACKBONE, IS THE TESTING GROUND, IT IS THE

FIRST PATH AT DEVELOPING A DIFFERENT TRANSPORTATION LAND USE NEXUS. NOW, THE VISION SCENARIO FOR 2030 TAKES THAT LAND USE AND REORGANIZES IT SO THERE IS A HIERARCHY. THE DENSITY GOES TO THE TRANSIT STATIONS AND LOWER DENSITY GOES ELSEWHERE AND QUITE FRANKLY A LOT OF THE LOWER DENSITIES ARE ELIMINATED AND OVERALL AT A REGIONAL SCALE, A HIGHER DENSITY OF DEVELOPMENT IS ADVOCATED. SO THE CAP METRO 20/30 TRANSIT NETWORK IS VERY COMPLEX AND, YOU KNOW, THIS IS ALSO, HAVING DONE REGIONAL PLANS ALL ACROSS THE COUNTRY, THIS REGION HERE IN AUSTIN IS BLESSED WITH AN EXTRAORDINARY SET OF OPPORTUNITIES IN THE RIGHT OF WAYS HAVE YOU AT HAND, WHETHER IT IS UNION PACIFIC OR MOPAC OR THE NORTHWEST LINE, YOU HAVE THE RIGHT OF WAYS IN PLACE, AND THEY ARE GOING TO THE RIGHT PLACE AND USING THEM CORRECTLY. I KNOW THIS IS A LITTLE BIT OFF TOPIC, I'M SORRY, I CAN'T CONTROL MYSELF. BUT HERE IS LAND CONSUMED UNDER NORMAL SCENARIOS AND THE NUMBER THERE, I CAN'T READ BECAUSE IT IS OFF THE SCREEN.

THE LAKE LINE HAS A HIGHER DENSITY BUT THE AVERAGE IS 8 UNITS PER ACRE WHICH IS VERY REASONABLE AND WHAT WE FIND THE MARKET WILL DEMAND. IT IS A MIX OF STANDARD LOTS, SMALL LOT, GREEN COURT WHICH ALSO HAVE IMPERVIOUS SERVICES, TOWN HOMES, YOU KNOW, A WHOLE RANGE. THIS IS SOMETHING I'M VERY COMMITTED TO, A VERY LARGE RANGE OF NOT ONLY AFFORDABLE BUT HOUSING TIME AND MIXED USE. HERE ARE THE ISSUE, IMPERVIOUS OPEN SPACE, 63% IMPERVIOUS ON THIS SITE NO, 62%, WE HAVE 63-ACRES OF PARKS, BUT HERE IS THE INTERESTING THING. WHEN YOU LOOK LOOK AT THE EDWARDS AQUIFER AND RECHARGE MAP AND LOOK AT THAT SPRAWL MAP YOU GET A VERY SIGNIFICANT AMOUNT OF DEVELOPMENT OVER RECHARGE AREA. IF YOU GO TO THE MORE COMPACT FORMS OF DEVELOPMENT, ON SITES LIKE THIS, YOU ACTUALLY REDUCE THE AMOUNT OF DEVELOPMENT ON THE RECHARGE AREA. SO THERE IS A LARGER ISSUE THAN JUST HOW MUCH GROUND THIS PROJECT IS COMPING, IT IS REALLY HOW YOU CHOOSE TO SPREAD DEVELOPMENT OVER THE AQUIFER. THIS IS JUST A MODEL THAT SHOWS, I'M GOING SKIP ALL THIS, AND

STAPLETON IS A GOOD CHAMP, AVERAGING 8 TO 10 UNITS. IT IS A STRONG MARKETPLACE IT CAN GO UP AGAINST THE DEVELOPMENT. AND THE RINCO STATION WE WORKED ON IN PORTLAND IS ANOTHER GOOD EXAMPLE OF HOW THIS MIXED USE SUB YOU ARE DAN DENSITY WORKS IN THE -- SUBURBAN DENSITY WORKS IN THE MARKETPLACE. WE HAVE LAKELINE BOULEVARD AS A BARRIER, LINE BY SOUND WALLS, WE ARE PROPOSING -- FIRST WE PROPOSED GRANT BOULEVARD, THATS WITH REJECTED AND THIS IS A PICTURE, VERY IMPORTANT PICTURE BECAUSE THIS LARGER POLICY ISSUE THE CITY NEEDS TO CON FRONT, YOU NEED TO ALLOW PARALLEL PARKING ON ARTERIALS IN THE CONTEXT OF TOWN -- TOWN CENTERS THAT WARN IT. THEY NEED PARALLEL PARKING. THAT IS AT HEART OF THIS.

WE WANT TO MAKE SURE WE HAVE A GOOD DISCUSSION HERE BEFORE WE BREAK ON WHAT I THINK ARE THE TWO ITEMS BEFORE US.

DO YOU WANT ME TO STAY HERE FOR QUESTIONS?

MAYOR WYNN: I SEE MR. ARMBRUST BEHIND YOU THERE. DAVID, MIKE CAN POINT O OUR ITEMS HERE.

I HAVE A QUESTION. MAY I ASK A QUESTION? THANK YOU FOR YOUR WORK ON THIS PROJECT, AND I THINK IT'S GOING TO BE A GREAT ONE FOR US TO USE AS A MODEL FOR OTHER STATION DESIGNS, AND I HAVE A QUESTION, KIND OF A BIGGER PICTURE QUESTION. BROOKINGS INSTITUTE SAID YOU NEED ABOUT 4300 PEOPLE PER SQUARE MILE. IN AUSTIN THE AVERAGE IS ABOUT 2600 PEOPLE PER SQUARE MILE. AND I DON'T KNOW IF THEY MEANT JUST AROUND THE STATIONS OR THROUGHOUT THE CITY WHERE -- IN BETWEEN.

YOU KNOW, FOR A LONG TIME PEOPLE HAVE WANTED AN ANSWER TO THE SIMPLE QUESTION, WHAT IS THE DENSITY YOU NEED IN ORDER TO GET TRANSIT TO WORK, AND THERE IS NO SIMPLE ANSWER, AND IF BROOKINGS PUT OUT A NUMBER, THEY WERE JUST PLAIN WRONG, BECAUSE IT'S ALL ABOUT THE CONTEXT. WE DEVELOPED SOMETHING -- WE STUDIED PORTLAND WAY BACK WHEN WE WERE DOING THE REGIONAL PLANNING THERE, AND WE LOOKED AT

DIFFERENT NEIGHBORHOODS OF DIFFERENT DENSITIES, BUT WE -- WE DEVELOPED THIS THING CALLED THE PEDESTRIAN FRIENDLINESS FACTOR. AND SO THERE IS AN ENTER DEPENDENCY BETWEEN PEDESTRIANIZATION THAT CONTRIBUTES TO THE VIABILITY. YOU CAN HAVE A HIGH DENSITY AREA THAT'S COMPLETELY UNWALKABLE. I CAN SHOW YOU THOSE AT THE INTERSECTIONS OF FREEWAYS, YOU'LL HAVE A CONDOMINIUM AND AN OFFICE PARK AND A REGIONAL MALL, RIGHT? AND WHEN YOU PUT IT ALTOGETHER STATISTICALLY THE NUMBER SAYS HIGH DENSITY AND STATISTICALLY IT SAYS MIXED USE BUT THERE'S NO WALKABILITY AND THEREFORE IT REALLY DOESN'T BECOME A VIABLE SUPPORT NETWORK FOR TRANSIT. SO TRANSIT IS NOT JUST DEPENDENT ON DENSITY. IT'S DEPENDENT ON ALL THREE OF THOSE THINGS I TALKED ABOUT, AND WALKABILITY IS A KEY ONE. AREAS THAT ARE VERY WALKABLE CAN HAVE A LOWER DENSITY AND CONTRIBUTE MORE RIDERS THAN AN AREA THAT'S LESS WALKABLE AND HAS MORE DENSITY. DO YOU FOLLOW THAT LOGIC?

YES, THAT MAKES SENSE.

SO, YOU KNOW, EVERYBODY ALWAYS ASKS ME, WHAT'S THE RIGHT DENSITY? THERE IS NO RIGHT DENSITY. ALONG A TRANSIT NETWORK YOU'LL HAVE A WHOLE RANGE OF DENSITIES FROM THE AREAS THAT ARE MOST FAR AFIELD, WHICH DO NEED TO BE PARK AND RIDE SO THAT YOU CAN HAVE A CONTRIBUTING POPULATION, TO NO -- SUBURBAN NODES AT DIFFERENT DENSITIES ALL THE WAY DOWN THE WAY.

AND THEN HOW DO YOU BALANCE THE GOALS OF HAVING FAMILIES WITH CHILDREN IN A CITY, THAT'S GOING TO BE MORE PEDESTRIAN FRIENDLY AND MIXED USE. WE SAW IN PORTLAND, OR AT LEAST WHAT I NOTICED WAS MOST OF THE FAMILIES ARE OUTSIDE THE CITY BECAUSE YOU'RE INTO ONE BROOM, TWO BROOM CONDOS, NOT CONDUCIVE TO A FAMILY, WHEN YOU HAVE A 1.6 CAR PARKING MAXIMUM PER UNIT.

YEAH, WELL, THAT'S ANOTHER WHOLE ISSUE. THE SUBURBAN ENTITIES LIKE LAKE LINE ARE PROVEN TO BE

EXTREMELY RECEPTIVE TO FAMILIES AND THEY WORK GREAT FOR FAMILIES, AND QUITE FRANKLY THEY'RE ENVIRONMENTS WHERE KIDS CAN ACTUALLY WALK SOMEPLACE ON THEIR OWN AND NOT HAVE TO BE TAKEN EVERYWHERE. WHEN YOU GET DOWNTOWN IN AMERICA TODAY THE LAND COST AND COST OF PARKING AND ALL SORTS OF VARIABLES PLAY INTO IT AND ALSO SCHOOL SYSTEMS PLAY A BIG ROLE IN THIS DECISION, CONTRIBUTE TO THE KIND OF MARKET FORCES THAT TEND TO PUSH DOWNTOWN SINGLE AND EMPTY NEST TERSE AND NESTERS AWAY. IT'S A PROBLEM, AND I THINK IT SHOULD BE ADDRESSED. CITIES AS WELL AS SUBURBS SHOULD BE A PLACE FOR FAMILIES. WE HAVEN'T GOTTEN THERE AND YOU'RE RIGHT FOR FINGERING THAT.

FOR THIS DEVELOPMENT HOW MANY FAMILIES WITH CHILDREN DO YOU ANTICIPATE BEING ABLE TO LIVE HERE?

WELL, THE 2700 UNITS OF WHICH -- LET ME SEE IF I CAN GET THE STATISTICS HERE QUICKLY -- OF WHICH ONLY 700 ARE IN MIXED USE, YOU KNOW, HIGH DENSITY BUILDINGS, YOU KNOW, APPROXIMATELY.

HOW MANY THREE BEDROOMS OR MORE?

I DON'T KNOW. WHEN YOU DESIGNATE A PARCEL FOR A TOWNHOUSE, WHICH CAN EASILY WORK FOR A FAMILY IF IT HAS ENOUGH BEDROOMS, IT'S HARD TO KNOW AT THIS POINT EXACTLY HOW THE BUILDERS WILL BUILD THAT OUT. BUT CERTAINLY CLOSE TO 2,000 OF THE UNITS ARE A HOUSING TYPE THAT'S APPROPRIATE, OR TOWNHOUSES OR LOWER DENSITY. SO THEREFORE APPROPRIATE TO FAMILIES.

KIM: OKAY.

MAYOR WYNN: COUNCILMAN MCCRACKEN?

MCCRACKEN: FROM THE PUZZLE THAT'S BEFORE US THAT REPRESENTS THE PLANNING COMMISSION'S RECOMMENDATION, DOES THAT ADDRESS THE ROADWAY DESIGN THAT YOU-ALL BELIEVE IS THE BEST WAY TO ACHIEVE THE TOD'S OPPORTUNITIES HERE AT LAKE LINE

STATION?

THE PLANNING COMMISSION'S? YEAH, I MEAN -- I GUESS THE ANSWER IS YES. WHAT WE WANT TO DO IS BUILD TWO TRAVEL LANES, A BIKE LANE AND THEN PARALLEL PARKING WITHOUT THE 10-FOOT MANEUVER LANES ON EITHER SIDE, WHICH WOULD TURN THE THING INTO A LANDING STRIP.

MCCRACKEN: IS THAT THE PLANNING COMMISSION --

IT COULD BE ONE OF THESE PLACES WHERE YOU'RE IN AN AIRPLANE AND LAND --

MCCRACKEN: BY THE WAY, I THINK ONE OF THE THINGS WE LEARNED FROM WHAT YOU-ALL WENT THROUGH WITH LAKE LINE TOD WAS WE HAVE A PROBLEM IN HOW WE'RE HANDLING ROADWAY DESIGNS AND PEDESTRIAN. I THOUGHT WE ADDRESSED THIS FROM THE DESIGN STANDARDS POLICY WHEN WE SAID THE DEVELOPER'S MATTER OF RIGHT GOT TO DO DESIGN SPEED AS LOW AT 20 MILES AN HOUR, AND APPARENTLY THAT'S NOT BEING VIEWED AS OPERATIVE SO WE'LL HAVE TO GO BACK AND FIX THAT. AND WE WILL. AND WE'VE GOT -- YOU KNOW, WE'VE GOT SOME GREAT FOLKS WITHIN PUBLIC WORKS AND OUR PLANNING STAFF WHO WILL COME BEFORE OUR LAND USE TRANSPORTATION STAFF ON MONDAY AND WE'LL ASK THEM TO START CREATING MORE OPPORTUNITIES FOR ROADWAY DESIGNS BECAUSE OF THE PROBLEMS WE'VE LEARNED ABOUT OUR PRACTICES THAT YOU-ALL EXPERIENCED HERE. BECAUSE YOU'RE RIGHT, PETER, OUR STANDARDS ARE OUT OF DATE WITH WHAT THE LAND USE PATTERNS WE'RE TRYING TO PROMOTE ARE. SO I APPRECIATE YOU-ALL'S PERSISTENCE IN HELPING GUESS US EDUCATED BECAUSE WE HAVE SOME WORK TO DO AND WE'RE ON IT. WITH THAT, I'LL --

WELL, IT'S A BIG SHIFT. IT'S A BIG SHIFT IN THE SENSE THAT, YOU KNOW, STREET STANDARDS HAVE TO CHANGE BY CONTEXT, AND THE UL -- I MEAN, THE ITE AND THE CNU HAVE WORKED TOGETHER AND ACTUALLY COME UP WITH A CONTEXT RESPONSIVE SET OF STREET STANDARDS SO I THINK THEY'RE BEGINNING TO SET THE RIGHT DIRECTION BUT IT'S A WHOLE REVOLUTION FOR THE WAY TRAFFIC ENGINEERS THINK BECAUSE FROM THEIR VANTAGE POINT A

ROAD IS A ROAD. DOESN'T MATTER WHAT IT'S PASSING THROUGH, IT'S ALWAYS THE SAME. AND THE REALITY IS TO MAKE GOOD COMMUNITIES, WHEN IT COMES TO A COMMUNITY -- WHEN IT COMES TO THE CITY IT SHOULD CHANGE.

MCCRACKEN: I SAW LEGACY TOWN CITY IN PLAINO AND IF YOU DID 40 MILES AN HOUR DESIGN SPEEDS IT KILLS THE ORIENTATION OF THE DEVELOPMENT. IT DOESN'T MATTER HOW -- THAT YOU HAVE THE BUILDINGS SIDEWALKS AND MIXED USE. IF YOUR ROADWAYS ARE TREATED LIKE HIGHWAYS IT WILL KILL THE PEDESTRIAN ORIENTATION AND DEVELOPMENT. SO I AM GLAD THAT THE PLANNING COMMISSION FIXED OUR INTERNAL ISSUES AND OUR INTERNAL ISSUES HAVE ABOUT TO BE ADDRESSED. WITH THAT SAID, MAYOR, I'M GOING TO MOVE TO APPROVE THE PLANNING COMMISSION RECOMMENDATION ON ALL THREE READINGS.

MAYOR WYNN: THANK YOU, AND NOW TECHNICALLY WE HAD ABOUT 17 FOLKS SIGNED UP, ALL IN FAVOR, SO THERE WAS NO NEED TO CALL ON FOLKS IN OPPOSITION AS THERE ARE NONE. SO WITH THAT I THINK WE SATISFIED THE CODE REQUIREMENT FOR THIS PUBLIC HEARING. MOTION BY COUNCIL MEMBER MCCRACKEN TO CLOSE IT AND APPROVE PLANNING COMMISSION RECOMMENDATION ON ALL THREE READINGS, SECONDED BY COUNCIL MEMBER COLE. FURTHER COMMENTS? COUNCIL MEMBER LEFFINGWELL?

LEFFINGWELL: JUST A QUICK QUESTION FOR STAFF. DOES THE PLANNING COMMISSION RECOMMENDATION INCLUDE THE WATER CONSERVATION, THE GREEN BUILDING, THE EXTRA MONEY FOR CONTRIBUTION TO BCP LAND?

PROBABLY HAVE TO TURN TO PAT MURPHY TO SPEAK TO THOSE ADDITIONAL ITEMS THAT WERE PROPOSED. WE ARE READY FOR THE PLANNING COMMISSION'S RECOMMENDATION THIS EVENING. I GOT PUBLIC WORKS STAFF HERE THAT MAY SPEAK TO SOME OF THE STREET DESIGN ITEMS, BUT THE ADDITIONAL ENVIRONMENTAL ITEMS, I WOULD TURN TO PAT AND ASK HIM TO SPEAK TO THE HEAT ISLAND AND SOME OF THE OTHER MATERIAL

ITEMS THAT WERE LISTED.

MY NAME IS PAT MURPHY WITH WATERSHED PROTECTION DEVELOPMENT REVIEW DEPARTMENT. THERE HAVE BEEN ADDITIONAL MEASURES THAT COUNCIL MEMBER LEFFINGWELL HAS JUST MENTIONED. IN FACT, IN THE LETTER DATED OCTOBER 11 IT'S SPELLING OUT THOSE THINGS. SPECIFICALLY THOSE WERE NOT CONDITIONS OF THE COMMISSION'S RECOMMENDATION AT THAT TIME.

LEFFINGWELL: SO WAS THERE MORE THAN BESIDES THE WATER CONSERVATION AND THE TWO-STAR GREEN BUILDING -- TWO-STAR PLUS, I BELIEVE YOU SAID, MR. ARMBRUST?

YES, I'LL TURN -- MR. ARMBRUST IS HERE AND THERE'S A LETTER HERE THAT WAS SENT THAT HAS THESE THINGS LAID OUT AND EXACTLY WHAT THEY'RE AGREEING TO THAT I BECAME AWARE OF TODAY.

LEFFINGWELL: OKAY.

IN TERMS OF THAT THEY WERE QUANTIFYING THOSE.

LEFFINGWELL: IF YOU COULD JUST READ THROUGH THOSE ON THE RECORD AND I WOULD OFFER A FRIENDLY AMENDMENT TO INCLUDE THOSE AS CONDITIONS OF APPROVAL.

COUNCIL MEMBER, THE LETTER IS FAIRLY LENGTHY BUT I'LL TRY TO PAIR A PHRASE.

THAT'S GREAT.

WE'VE AGREED TO ACHIEVE THE EQUIVALENT OF TWO-STAR RATING IN AUSTIN'S GREEN BUILDING PROGRAM, SPECIFICALLY SOME OF THE ITEMS THAT WE'VE BEEN ASKED TO CONSIDER, ATTEMPT TO MITIGATE HEAT ISLAND AFFECT THROUGH ONE OF THE FOLLOWING, OPEN GRID PAVING OR LOCATE AT LEAST 50% OF THE PARKING UNDERGROUND OR IN STRUCTURED PARKING OR USE HIGH ALBEDO MATERIALS ON AT LEAST 30% OF NON-ROOFS OR VEGETATIVE SHAIGHT OF AT LEAST NON-ROOF ON 30% OF IMPERVIOUS SURFACES.

IN COMMERCIAL AREA UTILIZE TEXAS SOURCE MATERIALS FOR AT LEAST 30% OF THE VALUE OF THE PROJECT. PROVIDE A MORE EFFICIENT -- MORE ENERGY EFFICIENT BUILDING THROUGH USE OF ONE OF THE FOLLOWING: INSTALL HIGH ROOF WITH SOLAR REFLECTANTS 75%, INSTALL VEGETATIVE ROOF FOR 50% OF ROOF AREA, INSTALL A.. OF HIGH AL BID ON VEGETATIVE ROOF FOR 75% OF THE ROOF AREA, AND SPECIFICALLY IN COMMERCIAL AND RESIDENTIAL AREAS, STRUCTURES, REDUCE BUILDING ENERGY USAGE COMPARED TO AUSTIN CITY CODE, AT LEAST 25%, IMPLEMENT THE IPM PROGRAM, REDUCE OUTDOOR WATER USAGE BY 50% FROM CURRENT BASELINE, REDUCE INDOOR WATER USAGE BY 25%. WE HAVE AGREED TO IMPLEMENT THE CITY'S WATER CONSERVATION TASK FORCE RECOMMENDATIONS. HOWEVER, THE TWO ITEMS HAVING TO DO WITH SOIL DEPTH AND COMMERCIAL IRRIGATION, IF THEY'RE NOT IMPLEMENTED CITYWIDE WITHIN 18 MONTHS THEN WE WOULD NOT BE REQUIRED TO DO THOSE --

LEFFINGWELL: I FEEL COMFORTABLE --

THERE WAS A CORRECTION ON THE REQUEST -- A CORRECTION TO STATE THE TOWNHOME BUILDING PRODUCT TYPE IS A A CLUSTER OF TWO TO THREE STORY TOWNHOMES VERSUS A SPECIFIED NUMBER. SAME THING ON THE GREEN -- SALE COURT, AND WE PROVIDED A LETTER ATTACHED ON THE -- OUR VOLUNTARY COMMITMENT FOR AFFORDABLE HOUSING, 10% TO 80%. AND THEN IN ADDITION PRIOR TO INITIAL DEVELOPMENT THE OWNER IS COMMITTED TO CONTRIBUTE THE SUM OF 128,000 TO THE BCP OR AS OTHERWISE DIRECTED BY THE CITY, SUCH FUNDS USED FOR OPEN SPACE ACQUISITION. THIS IS INTENDED TO BE PART OF THE RECORD.

LEFFINGWELL: THANK YOU. SO THAT'S MY FRIENDLY AMENDMENT, THAT THE CONTENTS OF THAT LETTER BE INCLUDED AS CONDITIONS.

YEAH.

MCCRACKEN: MAYOR, ONE FINAL REQUEST FOR PETER. THAT'S A GREAT POWERPOINT. I WANTED TO SEE IF THERE

WOULD BE A WAY WE COULD LINK IT UP ON THE CITY AND CAPITAL METRO'S WEB SITES. IT WOULD BE A GREAT EDUCATIONAL TOOL FOR ALL OF US AND A CHANCE FOR FOLKS TO SEE WHAT'S COMING, WHICH IS REALLY EXCITING.

KIM: MAYOR?

MAYOR WYNN: COUNCIL MEMBER KIM?

KIM: I HAVE A CHILDREN AND FAMILIES'S TASK FORCE THAT IS LOOKING HOW TO INCORPORATE -- MAKE IT MORE CHILD CARE FRIENDLY IN OUR CITY. WE'RE LOSING CHILD CARE CENTERS, IT'S HARD TO LOCATE THEM, GROUND FLOOR RETAIL SPACE, WHICH IS MOSTLY SPACE TO MEET FIRE CODE REQUIREMENTS, AND ALSO FAMILY SIZED HOUSING THAT MOST OF THE DEVELOPMENT WE'RE SEEING IS ONE OR TWO BEDROOM, 90% OF THE HOUSING DOWNTOWN IS ONE BEDROOM, AND SO I WAS WONDERING IF YOU MIGHT BE ABLE TO COME AND SPEAK AT SOMETIME TO THE FAMILIES AND CHILDREN COMMISSION AS THEY'RE WORKING ON THESE ISSUES AND DEVELOPING RECOMMENDATION FOR THE CITY, COUNTY AND THE SCHOOL DISTRICT.
BROOMS.....BROOMS.....

I'M NOT AN EXPERT ON THAT PARTICULAR TOPIC BUT I'D BE HAPPY NEXT TIME I'M HERE IF WE COULD COORDINATE TO SPEND SOME TIME ON IT.

KIM: THANK YOU.

MAYOR WYNN: SO WE HAVE A PROPOSED FRIENDLY AMENDMENT TO -- OR MOTION IS ACCEPTED. SO MOTION AND SECOND ON THE TABLE TO CLOSE THE PUBLIC HEARING, APPROVE THE AMENDED PLANNING COMMISSION RECOMMENDATION ON ALL THREE READINGS. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

MAYOR WYNN: AYE. OPPOSED? MOTION PASSES ON A VOTE OF 7-0. THANK YOU ALL VERY MUCH.

THANK YOU.

MAYOR WYNN: SO THAT TAKES US 15 MINUTES TO OUR 5:30 BREAK FOR LIVE MUSIC AND PROCLAMATIONS. PLEASE STAY TUNED FOR MATT HENSLEY AND THE AUSTIN CLASSICAL GUITAR SOCIETY AND A FEW PROCLAMATIONS AND THEN IMMEDIATELY UPON RETURNING FROM THOSE PROCLAMATIONS WE WILL TAKE UP ITEM NO. 62, DISCUSSION ABOUT OUR ANIMAL SHELTER. I'LL ALSO NOTE THAT IF FOLKS ARE HERE OR WANT TO BE HERE FOR CASE NO. 118, THE PUBLIC HEARING REGARDING THE LCA WATER DEAL WITH THE CITY OF AUSTIN, WE'LL HAVE THAT CASE -- THAT CASE WILL BE POSTPONED FOR A LATER DATE. SO WE NOW ARE BREAKING FOR LIVE MUSIC AND PROCLAMATIONS. WELCOME, MATT. BEDROOM.....[GUITAR MUSIC] [TUNING GUITAR] ALBEDO ALBEDO

OKAY. FOLKS, IF WE CAN HAVE YOUR ATTENTION PLEASE, IT'S TIME FOR OUR WEEKLY LIVE MUSIC GIG HERE AT THE AUSTIN THURSDAY CITY COUNCIL MEETING. JOINING US TODAY IS MATTHEW HENSLEY FROM THE AUSTIN CLASSICAL GUITAR SOCIETY. THIS NONPROFIT ORGANIZATION IS DEDICATED TO FURTHERING THE AWARENESS OF THE CLASSICAL GUITAR AND ITS MUSIC THROUGH A VARIETY OF COMMUNITY-BASED PROGRAMS. THEIR INTERNATIONAL CONCERT SERIES HOSTS SOME OF THE WORLD'S GREATEST..... GREATEST GUITAR PLAYERS AND THE LOCAL TALENT IS SHOWCASED IN THE COMMUNITY SERIES. THE AUSTIN CLASSICAL GUITAR ENSEMBLE PROVIDES THE OPPORTUNITY FOR ALL SKILL LEVELS TO PLAY WITH OTHERS. THE SOCIETY PRESENTED THE GUITARS GALORE ENSEMBLE FESTIVAL WHICH OFFERED SIMILAR ONES. THE THE IT IT OFFERS AN OUTREACH PROGRAM WHICH PROVIDES INSTRUCTIONS AT FOUR AREA LOCAL HIGH..... HIGH SCHOOLS AND NEARLY 200 STUDENTS. JOIN ME IN WELCOMING MATT HENSLEY FROM THE AUSTIN CLASSICAL GUITAR SOCIETY. [APPLAUSE] [GUITAR MUSIC] [APPLAUSE]

MAYOR WYNN: FABULOUS. TELL US, MATTHEW, I PRESUME THAT THE SOCIETY MAINTAINS A WEB SITE SO FOLKS CAN FIGURE OUT WHERE WE CAN HEAR MORE MUSIC LIKE THAT.

IT'S AUSTIN CLASSICAL GUITAR.ORG, AND WE HAVE A MAJOR

INTERNATIONAL CONCERT SERIES. LAST SATURDAY NIGHT WE PRESENTED SOMEONE TO OVER 550 PEOPLE AND BEFORE THE CONCERT WE HAD 17 KIDS FROM ONE OF OUR ADVANCED ENSEMBLE AT MCCALLUM HIGH SCHOOL PERFORM. AND OUR NEXT MAJOR EVENT IS ON DECEMBER 1 BUT WE ALSO HAVE FREE COMMUNITY CONCERTS ALL YEAR LONG, 30 OF THEM. WE'VE PRESENTED OVER -- OVER -- WELL, CONCERTS SINCE 1998 TO OVER 16,000 PEOPLE THROUGH THAT COMMUNITY SERIES, AND I'D LIKE TO SAY THANK YOU TO THE CITY OF AUSTIN FOR SUPPORTING US AS A CULTURAL CONTRACTOR SINCE 1998 NOW, SO COMING UP ON TEN YEARS.

HOW ABOUT YOU PERSONALLY? I PRESUME YOU DO A NUMBER OF THINGS WITH YOUR GUITAR.

I'M PERFORMING FOR AUSTIN CITY COUNCIL I BELIEVE ON THE 11TH OF OCTOBER. COMING UP -- I'M PLAYING AT BAYLOR UNIVERSITY ON THE 4TH WITH A FLUTE PLAYER, GUITAR AND FLUTE DUO AND CONCERTS AND LEADERSHIP --

DO YOU MAINTAIN A PRIVATE WEB PAGE WHERE FOLKS CAN CONTACT YOU?

MATTHEW HENSLEY.COM, AND AUSTIN CLASSICAL GUITAR.ORG.

CORRECT.

MAYOR WYNN: BEFORE YOU GET AWAY, WE HAVE THE OFFICIAL PROCLAMATION THAT READS, THE CITY OF AUSTIN IS BLESSED WITH MANY CREATIVE MUSICIANS WHOSE TALENT EXTENDS TO VIRTUALLY EVERY MUSICAL GENRE AND YOU'RE MUSIC SCENE RELATIVES BECAUSE WE SUPPORT THE MUSIC BY LOCAL FAVORITES AND NEWCOMERS ALIKE AND WE ARE PLEASED TO SHOWCASE OUR LOCAL ARTISTS SO THEREFORE I, WILL WYNN, MAYOR OF THE LIVE MUSIC CAPITAL OF THE WORLD, DO HEREBY PROCLAIM OCTOBER 11, 2007 AS MATTHEW HENSLEY AND THE AUSTIN CLASSICAL GUITAR SOCIETY DAY HERE IN OUR GREAT CITY. PLEASE JOIN ME IN CONGRATULATING AND THANKING THIS GREAT TALENT. [APPLAUSE]

THANK YOU VERY MUCH.

MAYOR WYNN: OKAY. SO AS MATTHEW BREAKS DOWN ON THAT SIDE OF THE ROOM WE'LL USE THIS PODIUM OVER HERE TO DO OUR WEEKLY PROCLAMATIONS. WE TAKE THIS TIME EACH WEEK TO SAY CONGRATULATIONS OR THANK YOU TO PEOPLE, OCCASIONALLY SAY GOOD-BYE TO FOLKS BUT ALSO TRY TO RAISE AWARENESS ABOUT GOOD CAUSES AROUND TOWN AND THINGS THAT ARE HAPPENING AND YOU SHOULD BE AWARE OF. OUR FIRST PROCLAMATION IS REGARDING ARCHIVES WEEK HERE IN AUGUST R..... IN AUSTIN. I'LL READ THE PROCLAMATION AND ADAM NOALS WILL TELL US ABOUT THE ACTIVITIES THAT ARE OCCURRING THIS WEEK. WE ALWAYS HAVE TO REMIND FOLKS ABOUT OUR AMATEUR ARCHIVIST, IS THAT THE RIGHT WORD? ARCHIVIST? OUR AMATEUR ARCHIVIST AND AMATEUR CANONNEER, THE STATUE WE HAVE NEAR 7TH AND CONGRESS AVENUE THAT WE PRESENTED TO THE CITY TWO OR THREE YEARS AGO. THE FAMOUS STORY ABOUT THE ARCHIVES WAR HERE IN AUSTIN AND BY MAINTAINING THE CAR ARCHIVES HERE IN AUSTIN MS. EMILY MAINTAINED IT AS THE NATIONAL CAPITAL OF THE STATE OF TEXAS. SO 9 PROCLAMATION READS, THE SOCIETY OF AMERICAN ARCHIVISTS, THE UNIVERSITY OF TEXAS STUDENT CHAPTER IN CONJUNCTION WITH THE HISTORY CENTER CELEBRATES ARCHIVES WEEK EACH YEAR TO CELEBRATE ARCHIVAL ISSUES AND TRENDS THAT ARE OF INTEREST TO THE LOCAL COMMUNITY AND WHEREAS THIS WEEK GIVES US AN OPPORTUNITY TO RECOGNIZE AND SUPPORT THE PEOPLE AND PROGRAMS DEDICATED TO DOCUMENTING AND PRESERVING OUR CULTURAL HERITAGE FOR THE ENRICHMENT OF ALL TEXANS AND WHEREAS WE ENCOURAGE ALL CITIZENS TO TAKE PART IN THIS WEEK-LONG SERIES OF EVENTS THAT RAISES AWARENESS OF ARCHIVES AND THEIR FUNCTION IN OUR SOCIETY, HIGHLIGHTS CURRENT LOCAL PRESERVATION EFFORTS AND THAT PROVIDES A FREE CIVIC FORUM TO DISCUSS ARCHIVAL ISSUES HERE IN AUSTIN. SO THEREFORE, I, WILL WYNN, MAYOR OF THE GREAT CITY OF AUSTIN, TEXAS, DO HEREBY PROCLAIM OCTOBER 15 THROUGH 20, 2007 AS ARCHIVES WEEK IN OUR CITY, AND CALL ON MR. ADAM KNOWLES TO TELL US MORE ABOUT WHAT'S HAPPENING, AND PLEASE

JOIN ME IN WELCOMING ADAM TO THE PODIUM. [APPLAUSE]

THANK YOU. WE'RE DELIGHTED TO RECEIVE THIS PROCLAMATION ON BEHALF OF THE UNIVERSITY OF TEXAS STUDENT CHAPTER OF THE SOCIETY OF AMERICAN ARCHIVISTS. THE ARCHIVES AND PRESERVATION FACULTY AT THE UT SCHOOL OF INFORMATION AND THE AUSTIN HISTORY CENTER. ARCHIVES WEEK HIGHLIGHTS ARCHIVAL INTERESTS ISSUES -- ISSUES OF INTEREST TO THE UT STUDENT BODY AND THE LOCAL COMMUNITY. ARCHIVES WEEK IS HOSTED EACH FALL AS A WAY TO PROMOTE AWARENESS FOR ARCHIVES AND THEIR IMPORTANCE IN SOCIETY. THIS IS THE 9TH ANNUAL CELEBRATION OF ARCHIVES WEEK IN AUSTIN. THIS YEAR'S THEME IS POWER, PRIVACY AND THE PUBLIC GOOD. THE POLITICS OF ARCHIVES. WE'RE HOSTING FOUR EVENTS, TWO OUT OF TOWN SPEAKERS, A PANEL DISCUSSION AMONG LOCAL EXPERTS AND THE ARCHIVES CLINIC HELD AT THE AUSTIN HISTORY CENTER WHERE THE PUBLIC CAN LEARN HOW TO TAKE CARE OF THEIR DOCUMENTS AND THEIR TREASURES. OUR GUEST SPEAKERS FOR THIS EVENT ARE NANCY ZIMELMAN LENOL, THE STATE ARCHIVIST OF CALIFORNIA AND DONNA DYE, A DISTINGUISHED PROFESSOR FROM OHIO STATE UNIVERSITY. TO LEARN MORE ARCHIVES WEEK YOU CAN LOOK FOR US ON THE WEB AND CONTACT THE AUSTIN HISTORY CENTER. WE LOOK FORWARD TO SEEING YOU ALL THERE AND I'D LIKE TO MENTION OUR SPONSORS BRIEFLY. THE UT SCHOOL OF INFORMATION, THE UNIVERSITY CO-OP, THE WHO WILL INJER CORPORATION. THE UT DEPARTMENT OF HISTORY, THE SENATE OF COLLEGE COUNCILS AT UT, THE NATALIE BENSON COLLECTION. THE AUSTIN HISTORY CENTER AND THE GENDER SYMPOSIUM. THANK YOU AGAIN.

MAYOR WYNN: THANK YOU. WELL DONE. [APPLAUSE]

MAYOR WYNN: OKAY. SO FAR OUR NEXT PROCLAMATION IS REGARDING COMMUNITY PLANNING MONTH AND FOR THOSE OF YOU-ALL WHO HAVE SAT THROUGH AN AUSTIN CITY COUNCIL MEETING ON MOST THURSDAY NIGHTS YOU KNOW THAT WE TAKE PLANNING AND ZONING VERY SERIOUSLY IN THIS TOWN. WE HAVE TO BECAUSE WE ARE THE FASTEST GROWING BIG CITY IN THE COUNTRY. WE HAVE DOUBLED IN PLAICHTION EVERY YEAR SINCE 1985. WE'LL DOUBLE

AGAINST IN THE NEXT 20 TO 25 YEARS SO WE BETTER PLAN FOR THAT, AND SO WE CELEBRATE COMMUNITY PLANNING IN THIS COMMUNITY. WE ENCOURAGE PARTICIPATION IN IT FROM THE NEIGHBORHOOD PLANNING PROCESS ALL TO AND THROUGH WHAT WE'VE DONE ON LARGER SCALES LIKE IN VISION CENTRAL TEXAS. JOINING ME HERE IS GREG GUERNSEY, OUR DEPARTMENT DIRECTOR, WHO PLAYS A KEY ROLE HERE THURSDAY NIGHT AS WE TALK ABOUT PLANNING AND ZONING ISSUES. I'LL READ A QUICK PROCLAMATION AND WE'LL HEAR GREG TALK ABOUT WHY WE BOTHER TO CELEBRATE COMMUNITY PLANNING IN AUSTIN. THE PROCLAMATION READS. COMMUNITY PLANNING MONTH HIGHLIGHTS THE CONTRIBUTIONS THAT SOUND PLANNING AND PLAN IMPLEMENTATION MAKE TO THE QUALITY OF OUR NEIGHBORHOODS AND ENVIRONMENT AS OUR CITY CHANGES AND GROWS AND WHEREAS THIS MONTH ALSO ENABLES US TO RECOGNIZE THE PARTICIPATION AND DEDICATION OF CITIZEN PLANNERS AND THE MEMBERS OF OUR PLANNING COMMISSION WHO HAVE GIVEN THEIR TIME AND EXPERTISE TO THE IMPROVEMENT OF THE CITY OF AUSTIN AND ITS NEIGHBORHOODS, AND WHEREAS WE ALSO RECOGNIZE THAT MANY VALUABLE CONTRIBUTIONS MADE BY THE PROFESSIONAL PLANNERS OF THE CITY'S NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT AND EXTEND OUR THANKS FOR THEIR CONTINUED COMMITMENT TO PUBLIC SERVICE. SO NOW THEREFORE I, WILL WYNN, MAYOR OF AUSTIN, DO HEREBY PROCLAIM OCTOBER 2007 AS COMMUNITY PLANNING MONTH IN AUSTIN, AND PLEASE JOIN ME IN WELCOMING MR. GREG GUERNSEY. [APPLAUSE]

GUERNSEY: THANK YOU, MAYOR, AND COUNCIL, FOR THIS GREAT HONOR, BUT IT'S REALLY THE CITIZENS OF OUR COMMUNITY AND THOSE THAT PARTICIPATE IN OUR PLANNING PROCESS THAT MAKE THE PROCESS WORK AND MAKE IT GREAT. SO IT'S NOT SO MUCH THE STAFF AS IT IS OUR CITIZENS, YOU, COUNCIL, AND COMMISSIONERS, THAT SUPPORT THIS PROCESS. I ALSO WANT TO SAY IT'S MORE THAN JUST OUR DEPARTMENT. IT'S WATERSHED PROTECTION, IT'S OUR FIRE DEPARTMENT, IT'S AUSTIN ENERGY, THE POLICE DEPARTMENT, AVIATION, PARKS, PUBLIC WORKS, AISD AND THE OTHER SCHOOL DISTRICTS,

THE STATE, OUR CAPITAL METRO POLICY TAN PLANNING CORPORATION, OUR REGIONAL AGENCIES, ECT, ALL THOSE DIFFERENT AGENCIES ALL WORK TOGETHER AND MAKE OUR COMMUNITY GREAT AND OUR AREA GREAT AS WELL AS OUR SUPPORTING EDUCATIONAL FACILITIES THAT WE HAVE. AND SO GIVEN THE BREVITY IN TIME, I NEED TO KEEP THIS BRIEF BECAUSE WE'VE GOT A LONG HEARING AND THERE'S STILL ANNEXATION AND ZONING ITEMS THAT COME AFTER THE ANIMAL SHELTER INPUT SO I'LL SAY THANK YOU VERY MUCH. I HAVE A LOT OF MY STAFF HERE THIS EVENING AND STAFF FROM OTHER DEPARTMENTS THAT ARE PLANNERS HERE SO I'LL JUST SAY THANK YOU AND KEEP UP THE GOOD WORK.

MAYOR WYNN: LIKEWISE. THANK YOU, GREG. [APPLAUSE]

MAYOR WYNN: I'M JOINED BY MARY PAT MILLER WHO WILL SAY A FEW WORDS ABOUT OUR NEXT PROCLAMATION AFTER I READ IT, WHICH IS REGARDING MENTAL ILLNESS AWARENESS MONTH AND SOME OF YOU-ALL MAY KNOW THAT ALMOST FOUR YEARS AGO NOW I HELPED FORM A MAYORS' COMMITTEE ABOUT THE CHALLENGES OF MENTAL HEALTH IN THIS COMMUNITY, FUNDAMENTALLY THE FRAGMENTATION OF THE SERVICES THAT WE HAVE HERE LOCALLY, BUT WE'RE NO DIFFERENT THAN MOST OTHER LOCALITIES, AT LEAST IN THE STATE AND MANY ACROSS THE COUNTRY, UNFORTUNATELY. AND SO THERE'S BEEN A FABULOUS AMOUNT OF CITIZEN AND PROFESSIONAL INPUT THROUGH THOSE TWO AND A HALF TO THREE YEARS NOW. EARLIER ON THE -- THIS MORNING'S CONSENT AGENDA, UNDER THE DIRECTION OF THE -- THE LEADERSHIP OF COUNCIL MEMBER LEFFINGWELL, THE CITY APPROVED A RESOLUTION THAT AS THE TRAVIS COUNTY MORGUE IS MOVED, IS ACTUALLY IN A FACILITY OWNED BY THE CITY OF AUSTIN, THEN WE DECLARE AND RESOLVED TODAY TO START PLANNING TODAY THAT THAT BECOME A PSYCHIATRIC FACILITY TO ADD SLOWLY TO THE GROWING SERIES OF SERVICES AND ASSETS THAT WE'RE TRYING TO GROW HERE AS WE DEAL WITH MENTAL ILLNESSES IN THIS COMMUNITY. SO I'LL READ THE PROCLAMATION AND WE'LL HERE FROM MP. THE PROCLAMATION READS, THE NEW MILE..... MILESTONES FOUNDATION WORKS WITH THE AUSTIN-TRAVIS COUNTY MHMR CENTER TO EXPAND AWARENESS, ELIMINATE STIGMA AND RAISE FUNDS TO

ADDRESS THE NEEDS OF THOSE AFFECTED BY MENTAL ILLNESS, DEVELOPMENTAL DISABILITIES OR SUBSTANCE ABUSE DISORDERS. WHEREAS WE SALUTE THE AUSTIN-TRAVIS COUNTY MHMR CENTER FOR BRINGING HOME AND HEALING TO MORE THAN 15,000 CONSUMERS IN OUR COMMUNITY THROUGH THEIR CRISIS INTERVENTION, MEDICATION, COGNITIVE THERAPY, HOUSING AND JOB TRAINING PROGRAMS. AND WHEREAS WE'RE PLEASED TO WELCOME MAYOR YELL HEMINGWAY TO OUR CITY TO HIGHLIGHT THE CHAMPIONS EVENT AND WE JOIN THEM IN HONK BEVERLY SIFEL DIVINE CANINES AND THE PEACE CUBE FOR THEIR WORK ON MENTAL HEALTH ISSUES LOCALLY. THEREFORE, I WILL WYNN, MAYOR OF AUSTIN, DO HEREBY PROCLAIM OCTOBER 2007 AS MENTAL ILLNESS AWARENESS MONTH IN OUR CITY AND THANK AND PLEASE JOIN ME IN THANKING MARY PAT MILLER TO TELL US A FEW WORDS. MARY PAT?

THANK YOU SO MUCH, MAYOR WYNN, AND THANK YOU FOR TAKING THE INITIATIVE SEVERAL YEARS AGO ON THE THE MAYOR'S MENTAL HEALTH TASK FORCE AND SHOWING LEADERSHIP IN THAT AREA THAT'S REALLY, REALLY NEEDED IN OUR COMMUNITY. AUSTIN HAS THE HIGHEST SUICIDE RATE IN -- OF ANY METROPOLITAN TEXAS COUNTY, AND IT'S HELD THAT TITLE FOR THE LAST FIVE YEARS, UNFORTUNATELY. TEXAS BEING THE SECOND LARGEST STATE, BUT IT'S THE 48TH IN SPENDING ON MENTAL HEALTH ISSUES. SO THERE'S A REAL NEED AND THERE'S A BIG GAP IN OUR COMMUNITY GIVEN MORE CUTS IN LEGISLATURE FOR MENTAL HEALTH CARE, AND THE NEW MILESTONE FOUNDATION IS THE FUNDRAISING ARM OF AUSTIN-TRAVIS COUNTY MHMR, AND THIS SUNDAY IS OUR BIG ANNUAL CELEBRATION AND GALA AT THE RENAISSANCE HOLT, AND IT'S FROM 11:30 TO 1:30, AND RAY BENSON IS OUR HONORARY CHAIR AND MAYOR MARIEL HEMINGWAY IS COMING TO TALK ABOUT MENTAL HEALTH ISSUES THAT HER FAMILY HAS GRAPPLED WITH FOR DECADES AND DECADES. THE GOAL IS TO ERADICATE STIGMA AND ASSIST THOSE WITH SUBSTANCE ABUSE DISORDERS, MENTAL HEALTH DISORDERS, AND THOSE WITH MENTAL RETARDATION. AND WE THANK YOU FOR YOUR SUPPORT IN ACKNOWLEDGING THE IMPORTANCE OF SUPPORTING MENTAL HEALTH IN THIS

COMMUNITY, MAYOR WYNN. THANK YOU VERY MUCH.

MAYOR WYNN: THANK YOU, MARY PAT. [APPLAUSE]

OKAY. FOR OUR NEXT PROCLAMATION, TONY ROSS HAS JOINED ME. HE'LL SAY A FEW WORDS AFTER I READ THE PROCLAMATION. THIS ONE IS ABOUT THE NATIONAL SAVE FOR RETIREMENT WEEK. I KNOW THERE'S A LOT OF FOLKS HERE THAT WOULD LIKE TO HATE EN MY RETIREMENT AFTER THE HEARING TONIGHT. A JOKE. I'LL READ THE PROCLAMATION AND WE'LL HEAR FROM TONY. PROCLAMATION READS, THE COST OF RETIREMENT IN THE U.S. CONTINUES TO RISE IN PART BECAUSE PEOPLE ARE LIVING LONGER THAN EVER BEFORE AND THE HEALTH CARE COSTS CONTINUE TO INCREASE AT A VERY FAST PACE AAND WHEREAS SOCIAL SECURITY WAS NEVER INTENDED TO BE THE SOLE SOURCE OF RETIREMENT FOR FAMILIES, BUT MANY EMPLOYEES ARE NOT AWARE OF THE RETIREMENT SAVING OPTIONS NOR HAVE THEY FOCUSED ON THE IMPORTANCE OF SAVING FOR THEIR OWN RETIREMENT. AND WHEREAS THIS WEEK IS DESIGNED TO CALL ATTENTION TO THE NEED FOR WORKERS TO SAVE FOR RETIREMENT AND TO FAMILIARIZE THEMSELVES WITH THE TAX ADVANTAGE RETIREMENT SAVINGS VEHICLES AVAILABLE CURRENTLY TO THEM. SO NOW THEREFORE, I, WILL WYNN, MAYOR OF AUSTIN, DO HEREBY PROCLAIM OCTOBER 21 THROUGH 27, 2007 AS THE NATIONAL SAVE FOR RETIREMENT WEEK ALSO HERE IN AUSTIN, AND PLEASE JOIN ME IN WELCOMING TONY ROSS WHO WILL TELL US ABOUT THE PROGRAMS HERE LOCALLY. TONY? [APPLAUSE]

THANK YOU, MAYOR WYNN. I'M TONY ROSS AND I'M WITH AUSTIN ENERGY. I SERVED AS CITY OF AUSTIN'S EMPLOYEE RETIREMENT SYSTEM TRUSTEE AS WELL AS SERVING ON THE DEFERRED COMPENSATION COMMITTEE. IN ADDITION TO THE CITY COUNCIL'S PROCLAMATION, NATIONAL SAVE FOR RETIREMENT WEEK IS THE FIRST CONGRESSLY ENDORSED, NATIONAL L -- FORMALLY CALLING ON EMPLOYERS TO PROMOTE THE BENEFITS OF SAVING FOR RETIREMENT. AND ENCOURAGE THEIR EMPLOYEES TO TAKE FULL ADVANTAGE OF EMPLOYER SPONSORED PLANS. OVERALL, NATIONAL SAVE FOR RETIREMENT IS MEANT TO CREATE A CULTURE THAT PROMOTES AND VALUES SAVINGS

IN THE WORKPLACE AND THE COMMUNITY. WE'RE GOING TO TAKE A LITTLE TIME TO SHARE A FEW OF THE STATISTICS ABOUT OUR DEFERRED COMPENSATION PLAN. A LITTLE LESS THAN HALF OUR EMPLOYEES ACTUALLY PARTICIPATE ACTIVELY IN THE PLAN. WE HAVE ASSETS VALUED AT OVER \$200 MILLION IN THE PLAN, AND THE PARTICIPANTS' AVERAGE ASSETS IS ABOUT \$22,000. AVERAGE CONTRIBUTION ANNUALLY IS ABOUT \$2,400. THERE ARE 28 INVESTMENT OPTIONS IN THE PLAN AS WELL AS A SELF-DIRECTED BROKERAGE ACCOUNT THAT IS AVAILABLE TO EMPLOYEES. JUST A FEW MORE FEATURES I WANT TO MENTION. IT IS TAX DEFERRED, AS THE MAYOR MENTIONED. THE PLAN IS OPEN TO ALL CITY EMPLOYEES, INCLUDING COUNCIL MEMBERS, AND I BELIEVE THEY HAVE PACKETS AT THE PLACES WHEN THEY GET BACK TO CONTINUANCE OF THE CITY'S BUSINESS. EMPLOYEES CONTRIBUTE UP TO \$15,500 THIS YEAR, IN 2007, AND REALLY AS MUCH AS \$31,000 IF YOU'RE OLD ENOUGH TO BE ELIGIBLE FOR THE CATCH-UP. FOR THE LOAN FEATURE, YOU CAN BORROW MONEY AT FAVORABLE RATES AGAINST YOUR SAVINGS AS WELL AS THE ABILITY TO TRANSFER AND PURCHASE SERVICE CREDIT WITH THE CITY'S THREE DEFERRED DEFINED BENEFIT PLANS. I CALL UPON ALL CITY EMPLOYEES TO THINK ABOUT WHAT THEY WANT FROM THE FUTURE. YOU KNOW, A DREAM REALIZED. THEY COULD USE THE PROCEEDS FROM THEIR SAVINGS TO START A NEW BUSINESS OR TURN A HOBBY INTO A CAREER OR A FEW EXTRAS IN THE RETIREMENT YEARS. SAVING NOW THROUGH DEFERRED COMP. CAN ACCOMPLISH ALL OF THAT. I WANTED TO COMMEND GREAT WEST RETIREMENT SERVICES FOR ALL THE THINGS THAT THEY'RE DOING TO PROMOTE NATIONAL SAVE FOR RETIREMENT WEEK, EVEN THROUGHOUT THE MONTH AND NEXT MONTH THEY'RE PROVIDING 100,000 DEFERRED COMPENSATION PLAN FLIERS IN AND UPDATE FORM FOR INCLUSION IN OUR EMPLOYEE OPEN ENROLLMENT PACKETS. THEY ARE PARTICIPATING IN 70 BENEFIT OPEN ENROLLMENT MEETINGS. THEY JUST COMPLETED A PRESENTATION TO THE CITY MANAGER'S DEPARTMENT DIRECTOR'S MEETING THAT I HEAR WAS VERY EFFECTIVE AS WELL AS THEY'RE GOING TO HAVE SPECIAL EMAILS FOR DISTRIBUTION TO ALL THE EMPLOYEES AND THERE'S MANY MORE OTHER THINGS. LASTLY I WANT TO THANK THE MAYOR AND COUNCIL FOR

THE PROCLAMATION AND FOR SUPPORTING THIS WORTHY EFFORT. THANK YOU, MAYOR.

MAYOR WYNN: THANK YOU, TONY. THANK YOU VERY MUCH.
[APPLAUSE]

MAYOR WYNN: I'LL READ THE PROCLAMATION. OKAY. FOR OUR FINAL PROCLAMATION THIS WEEK IS GOING TO BE NATIONAL ARTS AND HUMANITIES MONTH. I'M JOINED BY GLORIA PENNINGTON AND VINCENT KITCH AS WELL AS OTHER COMMISSIONERS. I THINK GLORIA AND VINCENT WILL SPEAK BRIEFLY. I TRUST YOU RECOGNIZE THE FABULOUS ART SCENE THAT WE HAVE IN THIS COMMUNITY, NOT ONLY BY PERFORMING ARTS, OF COURSE, MUSIC, BUT VISUAL ARTS AND OTHER FORMS OF PERFORMING ARTS HERE IS JUST FABULOUS. AND SO I'LL READ THE PROCLAMATION AND THEN WE'LL HEAR FROM GLORIOUS AND VINCENT ABOUT WHAT WE ARE DOING STRUCTURALLY LOCALLY WHEN IT COMES TO PROMOTING AND EXPANDING A GREAT ARTS TOWN. THE PROCLAMATION READS, OCTOBER HAS BEEN RECOGNIZED AS ARTS AND HUMANITIES MONTH BY THE U.S. CONFERENCE OF MAYORS, THE WHITE HOUSE AND CONGRESS FOR MORE THAN TWO DECADES IN RECOGNITION OF THE IMPACT THEY HAVE ON EVERY ASPECT OF LIFE IN OUR COUNTRY. AND WHEREAS LOCAL ARTS AND CULTURAL ORGANIZATION AS LONG AS WITH THE FILM AND MUSIC INDUSTRIES GENERATE \$2.2 BILLION ANNUALLY THAT CONTRIBUTE TO AUSTIN'S NATIONAL AND INTERNATIONAL IDENTITY AND THE CULTURAL ARTS COMMISSION WORK TO SUPPORT AND ENCOURAGE THE ONGOING DEVELOPMENT OF CREATIVE INDUSTRIES IN AUSTIN THAT ARE A PART OF OUR ECONOMY, UNIQUE CHARACTER AND QUALITY OF LIFE. ON THEREFORE I, WILL WYNN, MAYOR OF AUSTIN, DO HEREBY CALL ON ALL CITIZENS TO CELEBRATE AND PROMOTE THE ARTS IN OUR COMMUNITY AND DO PROCLAIM OCTOBER 2007 AS NATIONAL ARTS AND HUMANITIES MONTH HERE IN OUR CITY. PLEASE JOIN ME IN WELCOMING AND THANK YOU GLORIA.
[APPLAUSE]

ON BEHALF OF COMMISSIONER MALEEK AND HARMON WHO ARE HERE WITH ME THIS EVENING, AS WELL AS THE ENTIRE ARTS COMMISSION FOR THE CITY OF AUSTIN, THE CULTURAL

CONTRACTORS THAT WE AWARD MONIES TO AND THE ARTS COMMUNITY OF AUSTIN, I THANK THE MAYOR AND THE CITY COUNCIL FOR THEIR RECOGNITION OF THE WONDERFUL CONTRIBUTION AND THE ENHANCEMENT TO THE QUALITY OF LIFE THAT THE ARTS MAKE HERE IN AUSTIN. WE'RE GOING TO BE HAVING A CELEBRATION NEXT MONDAY AROUND 6:30 P.M. HERE IN THE ATRIUM WHERE WE WILL RECOGNIZE ALL OF THE CULTURAL CONTRACTORS THAT THE CITY OF AUSTIN AWARDS MONIES TO, SUCH AS THE WONDERFUL YOUNG MAN THAT YOU HEARD TONIGHT HERE PLAYING HIS CLASSICAL GUITAR. WE INVITE THE MAYOR AND COUNCIL TO BE WITH US AS WE RECOGNIZE THOSE THAT BRING SUCH WONDERFUL ART TO THIS CITY. AND NOW I'M GOING TO ASK BENSON KITCH TO SAY A FEW WORDS. THANK YOU, MAYOR. VICINITY SENT.

THANK YOU, GLORIA. THANK YOU, MAYOR. WE APPRECIATE THE ACKNOWLEDGEMENT BY YOU AND CITY COUNCIL AND THE MANAGEMENT FOR ALL THE WORK THAT THE ARTS COMMISSION HAS DONE AS WELL AS THE CULTURAL ARTS DIVISION BUT IS REALLY IS AN ACKNOWLEDGEMENT OF WHAT ARTS AND CULTURE MEANS TO THE CITY AND ALL THE THOUSANDS OF ARTISTS AND MU MUSICIANS AND PEOPLE THOUGH CONTRIBUTE IN CREATIVE WAYS TO OUR CITY AND WHAT THEY DO FOR AUSTIN WERE NOT WE APPRECIATE YOUR ACKNOWLEDGEMENT AND WE HOPE YOU WILL JOIN US AT THE RECOGNITION EVENT ON MONDAY. THANK YOU AGAIN. [APPLAUSE]

MAYOR WYNN: THANK YOU SO MUCH FOR YOUR SERVICE. APPRECIATE ALL YOU-ALL DO.

AND NOW I'D LIKE TO TURN THE PODIUM OVER TO COUNCIL MEMBER MIKE MARTINEZ.

I SAW ALLEN HERE SOMEWHERE. RIGHT IN FRONT OF ME. ALAN? WHO DO WE HAVE WITH US?

CHAIRMAN OF THE BOARD. NEIL.

THIS NEXT PROCLAMATION IS REALLY SYMBOLIC THAT WE'RE DOING THIS HERE IN AUSTIN BECAUSE THEY WERE FOUNDED HERE BUT NOW THEY'RE ALL OVER THE COUNTRY

PROVIDING MEALS TO HOMELESS FOLKS. THIS IS MOBILE LOAVES AND FISHES, AND I HAD THE OPPORTUNITY TO GO OUT WITH THEM LAST WEEK AND CELEBRATE THEIR 1 MILLIONTH MEAL GIVEN OUT TO HOMELESS FOLKS IN AUSTIN AND AROUND THE COUNTRY. [APPLAUSE]

IT'S AMAZING WHAT THIS GROUP HAS DONE AND WHAT ALAN AND HIS TEAM DOES DAY IN AND DAY OUT, AND IF YOU'LL LOOK OUTSIDE THE WINDOW THAT'S ONE OF THE MOBILE LOAVES AND FISHES TRUCKS THAT THEY'VE CUSTOMIZED AND THAT'S WHAT THEY BRING THE MEALS IN TO DELIVER TO THE HOMELESS FOLKS. IN ADDITION TO THAT, THOUGH, ALAN IS EXPANDING EVERY DAY IN WHAT HE DOES AND WHO HE HELPS, AND SO WE'RE ALSO WORKING VOAR CLOSELY WITH ALAN RIGHT NOW TO TRY TO FIND A PIECE OF PROPERTY WHERE HE CAN CREATE SOME TRANSITIONAL HOUSING. THEY HAVE AN AMAZING CONCEPT THAT PROVIDES DIGNITY AND REALLY NICE SMALL AFFORDABILITY -- AFFORDABLE LIVING SPACES FOR FOLKS THAT NEED THAT TRANSITIONAL HOUSING TO BE SELF-SUSTAINABLE, TO GET THEIR DIGNITY BACK, GET NECESSARY TREATMENT, TRAINING AND EDUCATION, SO I'M LOOKING FORWARD TO THE NEXT ENDEAVOR WITH ALAN AND GETTING THAT DONE. SO WITH THAT I WANT TO READ THIS PROCLAMATION. SAYS, BE IT KNOWN THAT WHEREAS SINCE 1998 MOBILE LOAVES AND FISHES CUSTOMIZE CATERING TRUCKS MANNED BY VOLUNTARY CHURCH MEMBERS, BOY SCOUTS, CORPORATE TEAMS AND SCHOOLS HAVE PROVIDED FOOD, CLOTHING AND DIGNITY TO THOSE IN NEED IN THE CITY OF AUSTIN, AND WHEREAS WE ARE PLEASED TO CONGRATULATE THE MOBILE LOAVES AND FISHES BOARD, STAFF AND ARMY OF MORE THAN 8,900 VOLUNTEERS ON THE SUCCESS OF THEIR PROGRAM AS THEY REACH A REMARKABLE MILESTONE, SERVING THEIR 1 MILLIONTH MEAL, AND WHEREAS MOBILE LOAVES AND FISHES HAS EXPANDED TO SAN ANTONIO, NASHVILLE, PROVIDENCE, MINNEAPOLIS AND NEW ORLEANS AND ADDITIONAL PROGRAMS INCLUDE MOBILE LOAVES AND FISHES SH HABITATS ON WHEELS AND DISASTER RELIEF HAVE BEEN ADDED TO THE SERVICES THE ORGANIZATION PROVIDES. NOW, THEREFORE, I WILL WYNN, MAYOR OF OF THE CITY OF AUSTIN, TEXAS DO HEREBY PROCLAIM OCTOBER 2007 AS MOBILE LOAVES AND FISHES MILLIONTH

MEAL MILESTONE MONTH, I GUESS. [APPLAUSE]

SO IF YOU'LL JOIN ME IN WELCOMING ALAN GRAHAM FROM MOBILE LOAVES AND FISHES.

IT'S HARD TO BELIEVE. OCTOBER 13, 1998, SIX MEN FROM ST. JOHN NEUMANN CATHOLIC CHURCH, ONE OF WHOM -- WHO WAS BORN IN 1955 AND WAS HOMELESS HIS ENTIRE LIFE. HE WAS BORN TO A HOMELESS MOTHER AND FATHER IN MINNESOTA, AND AND HE WAS OUR EYES AND EARS AS WE EMBARKED OUT ON THE STREETS OF AUSTIN IN A GREEN MINIVAN WITH THE DREAM THAT WE MIGHT BE ABLE TO SERVE AND DISTRIBUTE MEALS ON OR NEAR THE STREET IN CATERING TRUCKS LIKE YOU SEE OUTSIDE. SO WE CELEBRATED IN THIS REMARKABLE MONTH OUR 1 MILLIONTH MEAL SERVED. 300,000 OF THOSE MEALS THIS YEAR LOON ALONE, SO WE'LL BE ABLE TO DOUBLE SOMEWHERE IN TWO TO THREE YEARS. AUSTIN, TEXAS IS A REMARKABLE CITY. I'VE BEEN ALL OVER THE UNITED STATES OF AMERICA IN VIRTUALLY EVERY MAJOR CITY, AND LOOKING AT HOW THE RESPECTIVE CITIES DEAL WITH THE ISSUE OF HOMELESSNESS AND POVERTY, AND I CAN TELL YOU THAT AUSTIN, TEXAS STANDS AS A LEADER IN THE UNITED STATES IN ITS COMPASSION TOWARDS THE POOREST OF OUR POOR BROTHERS AND SISTERS, AND I JUST WANT TO THANK THE MAYOR, COUNCIL MEMBER MIKE MARTINEZ AND ALL THE CITY FOR THIS -- JUST THE REMARKABLE COMPASSION THAT'S KNOWN FOR AUSTIN. SO I'D LIKE FOR OUR CHAIRMAN OF THE BOARD, NEIL NOLAN AND A GREAT FRIEND OF MINE AND A BROTHER TO COME AND SEE A FEW WORDS AS WELL. [APPLAUSE]

THANKS, ALAN, AND COUNCIL MEMBERS AND MAYOR, THANK YOU AS WELL VERY MUCH, AND, YOU KNOW, AS ALAN SAID, IT REALLY IS THE GENESIS OF THIS PROGRAM -- WAS IN THE CITY OF AUSTIN AND JUST IN SHORT WE LOOK FORWARD TO BEING BACK HERE FOR THE BILL YONT MEAL SOLD. WE'LL BE THERE QUICKER THAN MCDONALD'S AND AS LONG AS AUSTIN IS STILL BEHIND US WHICH WE KNOW YOU WILL BE, WE'LL BE BACK HERE SOON. SO THANK YOU SO MUCH. [APPLAUSE]

WILL YOU PLEASE COME UP?

LEFFINGWELL: SO ABOUT SIX MONTHS AGO, I BELIEVE IT WAS NOW, WE STARTED THE PROCESS TOWARDS HAVING THE CITY OF AUSTIN CERTIFIED AS A COMMUNITY WILDLIFE HABITAT CITY, AND WE'RE ALMOST THERE NOW. WE'RE PRETTY FAR DOWN THE ROAD WITH THE COOPERATION OF A LOT OF GOOD GROUPS. THE CITY IS COLLABORATING, BY THE WAY, WITH THE NATIONAL WILDLIFE FOUNDATION, BOTH ALLISON HERE IS A REPRESENTATIVE AND I GOT TO GIVE HER CREDIT. SHE ACTUALLY BROUGHT THIS IDEA TO US AND WE TOOK IT AND RAN WITH IT. JANE TILLMAN, ONE OF OUR OTHER GROUPS THAT'S COLLABORATING ON THIS INITIATIVE WITH THE TRAVIS AUDIT YOU BONE SOCIETY. MARGARET RUSSELL WITH OUR PARKS DEPARTMENT, WHO IS BASICALLY DIRECTING THIS PROJECT AND DOING A GOOD JOB AND WE'RE WELL ON OUR WAY, AND I GOT TO MENTION PAT AND DALE BULA, WHO ARE PERSONAL FRIENDS OF MINE, GO TO THE SAME CHURCH, AND HAVE BEEN LEADERS IN THIS COMMUNITY IN ENERGY WATER CONSERVATION AND WILDLIFE HABITAT, AND THEY'RE ACTUALLY EXPERTS AND THEY'RE VOLUNTEERS AND THEY'VE DONATED A LOT OF THEIR TIME TO THIS PROJECT AND I REALLY APPRECIATE IT. THANKS, PAT AND DALE. WILDLIFE HABITAT, OF COURSE WE THINK IT'S A VIRTUE IN ITSELF BUT IT ALSO HAS A GREAT IMPACT ON THE CITY'S OTHER INITIATIVES, WATER CONSERVATION, ENERGY CONSERVATION. WE ALL KNOW, WE REMEMBER FROM GREAT DEAL SCHOOL, THAT GREEN PLANTS FROM TREES CONSUME CARBON DIOXIDE, OUR MAJOR GREENHOUSE GAS, AND SO JUST THE FACT OF HAVING THAT WILDLIFE HABITAT ESTABLISHED IN YOUR BACKYARD, AS I HAVE RECENTLY DONE, BY THE WAY, YOU'RE NOT ONLY SAVING WATER AND SAVING ELECTRICITY, BUT YOU'RE SAVING YOURSELF A LOT OF YARD WORK, WHICH I JUST FOUND OUT, WHICH COMES IN VERY HANDY. AND BY THE WAY, YARD TOOLS, GASOLINE-POWERED YARD TOOLS ARE ALSO A CONTRIBUTOR. SO FIRST TIME I READ THIS PROCLAMATION. AND WAIT -- BEFORE I DO, I ALSO WANT TO MENTION THAT SATURDAY HERE AT CITY HALL WE'RE HAVING A GREEN GARDEN EVENT AND WE'LL TALK SOME MORE ABOUT ALL THE INITIATIVES THAT THE CITY HAS TAKEN IN CONJUNCTION WITH THIS,

INCLUDING WE'LL BE TALKING MORE ABOUT WILDLIFE HABITATS. THE PROCLAMATION READS, BE IT KNOWN THAT WHEREAS THE CITY OF AUSTIN'S COMMUNITY WILDLIFE HABITAT INITIATIVE HAS REGISTERED WITH THE NATIONAL WILDLIFE FEDERATION TO BECOME A CERTIFIED WILDLIFE HABITAT COMMUNITY, AND WHEREAS TO EARN HABITAT DESIGNATION THE CITY MUST ACCUMULATE POINTS BY HAVING RESIDENCES, SCHOOLS AND OTHER COMMON AREAS, LIKE CHURCHES, LIBRARIES AND BUSINESSES, DESIGNATED AS PROVIDING HABITAT FOR WILDLIFE, AND CURRENTLY 537 SITES ARE SO DESIGNATED. THAT'S IN AUSTIN, AND WHEREAS PRESERVATION OF SPACES AS WILDLIFE HABITATS FURTHERS THE CITY'S GOAL OF REDUCING GREENHOUSE GAS EMISSIONS, CONSERVING WATER AND DEVELOPING BEST MANAGEMENT PRACTICES TO PRESERVE AND PROTECT OUR RICH ENVIRONMENTAL HERITAGE. NOW, THEREFORE, I, WILL WYNN, MAYOR OF THE CITY OF AUSTIN, TEXAS, DO HEREBY PROCLAIM OCTOBER 13, 2007 AS WILDLIFE AUSTIN DAY. CONGRATULATIONS. [APPLAUSE]

I ALSO WANT TO SAY A COUPLE WORDS.

HELLO. THE NATIONAL WILDLIFE FEDERATION WOULD LIKE TO THANK MAYOR WYNN, COUNCIL MEMBERS LEFFINGWELL AND MARTINEZ AND THE CITY OF AUSTIN PARKS AND RECREATION DEPARTMENT FOR THE INSTITUTION OF THE WILDLIFE AUSTIN PROGRAM. CONGRATULATIONS ON BECOMING THE FIRST CITY IN TEXAS TO START NATIONAL WILDLIFE FEDERATIONS, CERTIFIED COMMUNITIES WILDLIFE PROGRAMS. ALSO THANKS TO TRAVIS AUDUBON SOCIETY AND HABITAT HOUSE JANE TILLMAN FOR TRAINING THE GREATEST STEWARDS WHO WILL GO OUT INTO THE COMMUNITY AND HELP CREATE WILDLIFE HABITATS. THE NATIONAL WILDLIFE FEDERATION ENCOURAGES EVERYONE TO CELEBRATE WILDLIFE AUSTIN DAY ON OCTOBER 13. IT COULD BE CREATING YOUR VERY OWN WILDLIFE HABITAT BY PROVIDING FOOD, WATER, COVER AND SRG WITH THE.... CERTIFYING WITH THE FEDERATION. COULD BE PLANTING A PLANT OR TREE OR MOVING AN INVASIVE ONE OR SIMPLE AS PUTTING OUT A BIRD FEEDER, AND ALSO AS COUNCIL MEMBER LEFFINGWELL MENTIONED, GREEN CITY FESTIVAL IS OCCURRING ON SATURDAY, AND THE OFFICIAL

ANNOUNCE OF THE OF THE WILDLIFE AUSTIN PROGRAM WILL BE MADE AT 2:00 AND THEN AT 2:45 OUR FRIEND JANE HERE WILL BE TALKING TO EVERYONE ABOUT HOW THEY CAN GO ABOUT CREATING A WILDLIFE HABITAT AND HOW TO CERTIFY IT. SINCE THE CITY MADE THE OFFICIAL ANNOUNCEMENT AND PLANNED TO BECOME A COMMUNITY WILDLIFE HABITAT CERTIFIED WITH NATIONAL WILDLIFE FEDERATION BACK IN MARCH, ALMOST 200 CERTIFIED HABITATS HAVE BEEN CREATED. SO WE ARE WELL ON OUR WAY TO OBTAINING CERTIFICATION AS A COMMUNITY WILDLIFE HABITAT COMMUNITY, AND AS I MENTIONED, IT WILL BE THE FIRST ONE IN TEXAS IF WE CAN ACHIEVE THAT. SO EVERYONE GO OUT, PUT A BIRD FEEDER -- EXCUSE ME? [INAUDIBLE]

THAT'S RIGHT. SO ANYWAY, THANK YOU FOR YOUR TIME. THANK YOU COUNCIL MEMBER LEFFINGWELL. [APPLAUSE]

MAYOR WYNN: THANK YOU, ALICE.

LEFFINGWELL: WOULD YOU LIKE TO SAY SOMETHING, JANE? DALE BULA, WELCOME TO THE PODIUM.

THANK YOU. IF THERE'S ANYONE HERE WHO WOULD LIKE TO CERTIFY THEIR YARD I HAVE THE APPLICATIONS IN MY CAR, BECAUSE ALL YOU HAVE TO DO IS JUST TAKE A FEW LITTLE EXTRA STEPS TO PROVIDE IN THE CASE.....PROVIDE NECTAR OR WATER -- WE'RE LOSING A LOT OF HAS HABITAT WITH DEVELOPMENT. WE HAVE TO BUILD IT BACK INTO OUR COMMUNITY AND EVERY ONE OF YOU THAT HAVE A YARD CAN DO THAT. SEE ME AFTERWARD AND I'LL GIVE YOU A HABITAT APPLICATION. [APPLAUSE]

IN THE.....IN THE CASE TER HASTEN

WE BROKE NOW FOR AN HOUR. I APPRECIATE EVERYBODY'S PATIENCE WHILE WE CONDUCTED SOME OTHER BUSINESS. NOW, AS PROMISED, WE ARE GOING TO SET ASIDE THE FOUR REMAINING ZONING CASES. WE ALSO HAVE SIX PUBLIC HEARINGS TO BE HELD SOMETIME THIS EVENING, ONE OF WHICH, HOWEVER, IF I REMEMBER CORRECTLY, STAFF WAS RECOMMENDING THAT WE POSTPONE PUBLIC HEARING NO. NO. 118, WHICH IS THE PUBLIC HEARING TO RECEIVE

PUBLIC COMMENT REGARDING THE LONG-TERM WATER SUPPLY AGREEMENT BETWEEN THE CITY OF AUSTIN AND THE LCRA BUT I DON'T KNOW WHETHER STAFF HAD A RECOMMENDED DATE FOR THAT POSTPONEMENT. ANYBODY HERE WOULD KNOW THAT? I KNOW WE'RE WAITING FOR BOTH THE RESOURCE MANAGEMENT COMMISSION TO GIVE US A RECOMMENDATION AS WELL AS THE ENVIRONMENTAL BOARD.

PARDON ME, MAYOR, ROSS CROW, LAW DEPARTMENT. WE'RE RECOMMENDING NEXT WEEK, OCTOBER 18.

WILL THAT GIVE THE ENVIRONMENTAL BOARD TIME TO ACT?

YES, THEY WILL MEET THE 17TH.

MAYOR WYNN: SO COUNCIL, I'LL ENTERTAIN A MOTION TO POSTPONE PUBLIC HEARING 118 FOR ONE WEEK TO OCTOBER 18, 2007.

MAYOR WYNN: MOTION BY COUNCIL MEMBER LEFFINGWELL, SECONDED BY THE MAYOR PRO TEM. FIRST COMMENTS? HEARING NONE, ALL THOSE IN FAVOR, SAY AYE.

AYE.

MAYOR WYNN: OPPOSED? MOTION PASSES ON A VOTE OF 6-ZERO WITH KIM OFF THE DAIS. WE NOTED THAT ITEM NO. 91 HAS BEEN REMOVED FROM THE AGENDA BUT WE'LL TAKE UP ITEM NO. 62 NOW, WHICH IS AN ITEM FROM COUNCIL APPROVING RESOLUTION DESIGNATING THE LOCATION FOR THE NEW ANIMAL CENTER, AND DIRECTING THE CITY MANAGER TO PROCEED WITH PLANNING FOR THE FACILITY. WHAT I WOULD LIKE TO DO, COUNCIL, IS TO HAVE CITY STAFF GIVE US A BRIEFING, BRING US UP TO SPEED, REMIND US THE HISTORY OF THIS ANALYSIS AND COMMUNITY DIALOG, AND THEN WE WOULD TAKE TESTIMONY. AS ANTICIPATED WE HAVE, YOU KNOW, TEN OR 12 HOURS' WORTH OF TESTIMONY SIGNED UP. [LAUGHTER]

MAYOR WYNN: NO, THAT WOULD BE 243 MINUTES, THAT'S 8 HOURS AND 1 MINUTE, RIGHT? AND SO -- AND 136 FOLKS SIGNED UP. YOU KNOW, DOZENS FOR AND DOZENS AGAINST.

TWO PEOPLE SIGNED UP, I GUESS THEY'RE FROM SWITZERLAND. THEY'RE NEUTRAL. [LAUGHTER] AND SO MY -- MY GUESS IS THAT TYPICALLY MANAGER LUMBRAS'S BRIEFING HERE IS 10, 12, 15 MINUTES, SOMETHING LIKE THAT, I'VE SEEN A HARD COPY OF IT AND MY RECOMMENDATION, COUNCIL, JUST NOTING THE NATURE OF HOW WELL THIS ANALYSIS AND DIALOG HAS BEEN PUBLICIZED, AND KNOWING THAT WE HAVE FOUR MORE ZONING CASES AND FIVE ADDITIONAL PUBLIC HEARINGS TO CONDUCT TONIGHT, I WOULD RECOMMEND THAT WE WAVE COUNCIL RULES AND SET A TIME CONSTRAINT -- AN EQUAL TIME CONSTRAINT ON FOLKS WHO WANT TO GIVE US TESTIMONY IN FAVOR OF RELOCATING THE SHELTER TO OUR HEALTH DEPARTMENT CAMPUS AND FOLKS WHO WOULD PREFER US TO REBUILD A SHELTER AT ITS CURRENT LOCATION. THERE'S NO WAY WE'RE GOING TO BE ABLE TO HEAR -- GET EVERYBODY'S TESTIMONY, BUT MY -- I THINK THERE ARE FIVE OR SIX SORT OF MAJOR CONCEPTS, MAJOR SORT OF PROS AND CONS FOR EITHER EACH LOCATION OR THE CONCEPT RELATED TO A MOVE, EITHER TEMPORARY OR PERMANENT. AND SO I WOULD RECOMMEND THAT WE LIMIT TESTIMONY TO 30 MINUTES PER SIDE, SO THAT WAY WE'LL HAVE A 15-MINUTE STAFF PRESENTATION, AN HOUR'S WORTH OF EQUAL PUBLIC TESTIMONY, AND THEN WE WILL DIALOG AND DEBATE HERE ON THE DAIS, OBVIOUSLY RESERVING THE RIGHT TO ASK QUESTIONS OF ANY OF THE ADVOCATES AND OR STAFF. SO I GUESS I WOULD ENTERTAIN THAT MOTION.

MOTION BY COUNCIL MEMBER MCCRACKEN, SECONDED BY COUNCIL MEMBER LEFFINGWELL, TO WAVE COUNCIL RULES LIMITING TESTIMONY TO 30 MINUTES PER SIDE, FORMAL TESTIMONY, FOLLOWING STAFF BRIEFING, AND THEN OF COURSE OPENING UP FOR COUNCIL DIALOG AND DEBATE. SO WHAT MY HOPE, THEN, FOLKS, AND I KNOW WE'VE TALKED TO A NUMBER OF ADVOCATES ON BOTH SIDES OF THIS DEBATE ABOUT THAT CONCEPT, AND SO THE HOPE IS THAT WHILE MR. LUMBRERAS GIVES HIS BRIEFING, 15 MINUTES OR SO, THAT SOME OF YOU-ALL WILL SORT OF PUT YOUR HEADS TOGETHER AND THINK THROUGH WHO MIGHT BE, YOU KNOW, SPOKESPEOPLE FOR, YOU KNOW, THE PROS AND CONS. I KNOW THAT THERE ARE OBVIOUSLY

STRUCTURAL ORGANIZATIONS THAT ARE ON BOTH SIDES OF THIS DEBATE, AND SO PERHAPS THE LEADERSHIP OF SOME OF THOSE GROUPS COULD GET TOGETHER AND COME UP WITH A LITTLE SEQUENCE AND WE'LL JUST SET THE CLOCK FOR 30 MINUTES AND LET FOLKS GIVE US TESTIMONY AS THEY SEE FIT. SO WITHOUT FURTHER ADO, WELCOME, ASSISTANT CITY MANAGER, BURKE LUMBREAS.

THANK YOU, MAYOR AND COUNCIL WE THANK YOU FOR THIS OPPORTUNITY TO PROVIDE THIS REPORT. AS YOU KNOW WE HAVE EMBARKED ON MORE THAN TWO-YEAR PUBLIC PROCESS TO CAREFULLY CONSIDER, PRIORITIZE WITH SO MANY PRESSING NEEDS AND ULTIMATELY COME TO AN AGREEMENT ON OUR MORE CRITICAL BOND PROJECTS. COUNCIL HAS HEARD A NUMBER OF STAFF AND BOND ELECTION ADVISORY COMMITTEE PRESENTATIONS THAT HAVE INCLUDED THE PROPOSED ANIMAL SHELTER AS ONE OF OUR TOP PRIORITIES AND CONTINUES TO BE A VERY IMPORTANT PROJECT FOR THIS COMMUNITY. EARLIER THIS YEAR COUNCIL APPROVED FIRST YEAR FUNDING FOR 2006 BOND PROJECTS, WHICH INCLUDED THE FUNDING FOR THE BEGINNING OF THE PROCESS OF THE SHELTER. IT IS IMPORTANT TO NOTE THAT THE COUNCIL HAS NOT APPROVED ANY MAJOR EXPENDITURES FOR THIS PROJECT TO THIS POINT. WE HAVE POSTPONED AN ITEM REGARDING ITEM FOR CONTRACT FOR ARCHITECTURAL SERVICES AND CERTAINLY THAT'S TOTALLY DEPENDENT ON THE DIRECTION THAT COUNCIL GIVES US, WHICH YOU WILL HAVE AN OPPORTUNITY TO DISCUSS LATER ON. AFTER A TWO-YEAR PUBLIC PROCESS VOTERS APPROVED A NEW ANIMAL SHELTER IN THE NOVEMBER ELECTION. SINCE THEN THERE HAVE BEEN QUESTIONS RAISED REGARDING THE LOCATION OF THE FACILITY AND THE FEASIBILITY OF BUILDING AT THE EXISTING SITE. THIS REPORT WILL HIGHLIGHT A NUMBER OF THESE ITEMS, INCLUDING STATE INSPECTION REPORTS AT THE CENTER, SITE SELECTION, PUBLIC PROCESS, COST COMPARISON BETWEEN THE CURRENT SITE AND THE PROPOSED SITE. AS MANY OF YOU KNOW THE SITE IS OVER 50 YEARS OLD. THE CURRENT FACILITY IS VERY -- REQUIRES VERY HIGH MAINTENANCE AND REGULAR REPAIRS. THE FACILITY IS NOT CONDUCIVE TO EFFICIENTLY PROVIDING SERVICES FOR ANIMALS AND CUSTOMERS, AND THE

COMMUNITY AS A WHOLE. AS AN ANIMAL SHELTER WITH RABIES QUARANTINE FUNCTIONS, TLAC IS REQUIRED BY STATE LAW TO HAVE A GENERAL SHELTER INSPECTION BY THE DEPARTMENT OF VETERINARY MEDICINE OF OUR CHOICE, WHICH IS SCHEDULED, AND A QUARANTINE INSPECTION, WHICH IS UNSCHEDULED BY THE REGIONAL TEXAS DEPARTMENT -- TEXAS DEPARTMENT OF STATE, HEALTH, AND OUR GENERAL SHELTER INSPECTIONS HAVE BEEN PERFORMED ANNUALLY BY DR. JERRY FENIG, FROM UT ANIMAL RESOURCE CENTER SINCE 1999. LET ME WALK YOU THROUGH SOME OF THOSE INSPECTIONS. SINCE 2004 TLAC HAS RECEIVED 1 UNSATISFACTORY RATING ON THAT DATE. THE INSPECTIONS SINCE THEN FOR 2005 THROUGH 2007 WERE CERTAINLY NOTHING TO CHEER ABOUT. THE FOLLOWING WERE COMMENTS FROM THE STATE INSPECTOR DURING THIS REPORT. IN 2004 TLAC RATED UNSATISFACTORY. THIS FACILITY IS DUE FOR UP GREAT OR RENEWAL. THE STAFF WORKS HARD TO KEEP THE SHELTER SOMEWHAT PRESENTABLE. IN 2005 THE REPORT STATED, THE STAFF IS DOING THE BEST THEY CAN WITH WHAT THEY HAVE TO WORK WITH. THE FACILITY SHOULD BE LOOKED UPON AS AN EMBARRASSMENT TO THE CITY. IN 2006 THE CITY INSPECTION REPORT SAID, THIS IS -- THIS IS BASED UPON THE CARE ONLY. THE FACILITY AS A WHOLE IS UNSATISFACTORY, AND IN THE MOST CURRENT REPORT IN THIS YEAR, STAFF ARE TO BE COMMENDED FOR MAINTAINING A FACILITY THAT IS IN NEED OF BEING REPLACED DUE TO AGE, CONSTRUCTION PROBLEMS AND LOCATION. IN 2000-2001 EXPLORATORY VISITS WERE MADE TO SOME CITY PROPERTIES AS WELL AS SOME SITES THAT MIGHT BE AVAILABLE FOR PURCHASE. VARIOUS DEPARTMENTS PARTICIPATED, WENT ON THESE VISITS TO DETERMINE THEY WERE CONDUCIVE FOR A NEW SHELTER. A NUMBER OF DIFFERENT CRITERIA WERE LOOKED AT DURING THE INITIAL SCREENING OF LAND SUCH AS IF THE LAND WAS PART OF THE ENTERPRISE FUND OR IF IT WAS FEDERALLY REGULATED. STAFF ALSO DISMISSED LAND THAT WAS EITHER PROTECTED BY THE PUBLIC UTILITY COMMISSION OR STATE LAW, SUCH AS DEDICATED PARKLAND, WATER QUALITY AND BCP. ANY LAND THAT WAS PART OF THE DEVELOPMENT AGREEMENT WITH COVENANTS OR ANY SMALL PARCELS OF REMNANTS THAT WERE TOO SMALL TO

BE DEVELOPED WERE TAKEN OUT OF THE CONSIDERATION. IN ADDITION STAFF ALSO DISMISSED LAND THAT WERE ALREADY BEING USED FOR PUBLIC SAFETY OR PUBLIC HEALTH. AFTER WE WENT THROUGH THAT INITIAL CRITERIA AND WE EVALUATED IT AND LAND WAS NARROWED DOWN, THERE WAS A SECOND SET OF CRITERIA THAT WAS EXAMINED. WE LOOKED AT SIZE, WOULD THE PARCEL BE BIG ENOUGH. WE LOOKED AT PARKING. CODE STATES THAT THERE HAVE TO BE SO MANY PARKING SPACES. WE LOOKED AT THAT. FLOODPLAIN, WHETHER IT WAS IN THE FLOODPLAIN OR WILL IT BE AFFECTED BY BEING IN AN AREA. THE COST, WILL WE HAVE TO BUY LAND AND HOW MUCH WOULD IT BE? ACCESS ABILITY, STANDARDS REQUIRING DRIVEWAYS TO BE SPACED AT A MINIMUM OF 200 FEET AND THEN ALL THE TXDOT ACCESS REGULATIONS. IN TERMS OF TRAFFIC WE LOOKED AT HOW THE TRAFFIC IS AT THE CURRENT SITE AND HOW THE NEW BUILDING WOULD BE POSSIBLY IMPACTED. SURROUNDING IMPACTS ON THE ENVIRONMENT, SITE IMPACTED BY SURROUNDING LAND USES. FOR INSTANCE, RAILROADS, DO THEY CREATE A NEGATIVE INFLUENCE. WE ALSO TOOK INTO CONSIDERATION SIZE AND SHAPE OF THE TRACT FOR THE POSSIBLE DESIGN. IN ADDITION WE LOOKED AT UTILITIES, WHAT TYPE OF SERVICE EXTENSIONS WOULD BE REQUIRED, ROADS AND UTILITIES WOULD ALSO HAVE TO BE BUILT, OR SHOULD THOSE TYPE OF THINGS HAVE TO BE BUILT. AND THEN ALSO WE LOOKED AT LAND DEVELOPMENT CODES LIKE THE SOS ORDINANCE AND IMPERVIOUS COVER LIMITATIONS. IN ADDITION WE LOOKED AT DETENTION AND FILTRATION, WOULD THERE BE ANY NEED FOR ON-SITE DETENTION FOR STORM WATER RUN OFF OR ANY OTHER FILTRATION SYSTEM NEEDED. SOME OF THE SITES THAT WERE TAKEN INTO ACCOUNT DURING THE EARLY STAGES OF THIS PROCESS ARE LISTED IN THE SLIDE FOR YOU. IN GENERAL THE PROBLEM WAS THAT MOST OF THEM WERE TOO FAR AWAY FROM TRANSIT CORRIDORS IN THE POPULATED AREAS. ADDITIONALLY A NUMBER OF THESE SITES HAD INFRASTRUCTURE PROBLEMS IN TERMS OF UTILITIES AND ROADS. SOME EXAMPLES OF THESE SITES AND SOME OF THE PROBLEMS THE STAFF SAW ARE AS FOLLOWS: A FIVE ACRE SITE SOUTH OF I-35 NEAR STASSNEY DID NOT HAVE ENOUGH ACREAGE. WHILE THE SITE WAS BIG ENOUGH, THE

MAJORITY OF THE ACREAGE WAS DOWN A STEEP HILL. AN 8-ACRE SITE NEAR THE TRAVIS COUNTY EXPO CENTER, HIGHWAY 290 AND FERGUSON LANE. THIS SITE HAD INSUFFICIENT DEVELOPABLE AREA. IT HAD CONSTRAINTS IN TERMS OF FLOODPLAIN AND WAS AN ODD SHAPED SITE. A PRIVATE SITE THAT WE LOOKED AT WAS AN AREA EAST OF I-35 AND JUST SOUTH OF SLAUGHTER LANE. THIS WOULD HAVE BEEN A JOINT TRANSACTION WITH THE PARKS DEPARTMENT. THE TRANSACTION WITH THE OWNER DID NOT MATERIALIZE AND THE OPTION WAS NOT VIABLE. ANOTHER PRIVATE SITE THAT WAS EXPLORED WAS VISION VILLAGE ON MLK EAST OF 183. THE SITE ALSO HAD SOME PROPOSED DEVELOPMENT AND WHEN THAT WAS TAKEN INTO ACCOUNT IT WAS FOUND THAT THERE WAS INSUFFICIENT SPACE FOR THE SHELTER. IT WAS ALSO CONSIDERED TOO FAR AWAY FROM TRANSIT CORRIDORS. TALKING A LITTLE BIT ABOUT THE PUBLIC PROCESS, THE FOLLOWING IS A TIMELINE OF IMPORTANT DATES THAT REPRESENTS A VERY TRANSPARENT PROCESS THAT WAS OPEN TO PUBLIC COMMENT. SOME ESPECIALLY SIGNIFICANT DATES INCLUDE, IN NOVEMBER 2005 THE BOND ELECTION ADVISORY COMMITTEE MEET, THIS IS WHERE THE BOND ELECTION ADVISORY COMMITTEE DELIBERATED AND RECOMMENDED THAT THE HEALTH AND HUMAN SERVICES CAMPUS BE USED TO HOUSE A NEW SHELTER. ON JANUARY 9 AND 10, 2005, BOND ELECTION ADVISORY COMMITTEE MEETING AGAIN. THEY FINALIZED THE RECOMMENDATIONS AND THEY SPECIFIED THE HEALTH AND HUMAN SERVICES CAMPUS. ON FEBRUARY THE 2ND, 2006, COUNCIL MEETING, BOND ELECTION ADVISORY COMMITTEE PRESENTS REPORT AND RECOMMENDATIONS TO COUNCIL AND INCLUDES THE HEALTH AND HUMAN SERVICES CAMPUS AS A PROPOSED LOCATION. ON APRIL THE 27, 2006, COUNCIL MEETING. STAFF PRESENTATION AT COUNCIL WHERE THE HEALTH AND HUMAN SERVICES CAMPUS IS IDENTIFIED. JUNE 8, 2006, COUNCIL MEETING, COUNCIL APPROVES THE BOND ELECTION BALLOT. MARCH 2, 2007, BOND ELECTION OVERSIGHT COMMITTEE MEETING. THE BOND ELECTION -- THE BOND OVERSIGHT COMMITTEE VOTES TO RECOMMEND A BUDGET AMENDMENT INCLUDING THE RELOCATION OF TLAC. AND LATER ON IN MARCH 8 OF 2007 AT A COUNCIL MEETING THE CITY COUNCIL APPROVES FIRST YEAR

FUNDING OF THE BOND. AUGUST 8, 2007, A STAFF PRESENTATION TO THE PUBLIC HEALTH AND HUMAN SERVICES SUBCOMMITTEE. IN LOOKING AT THE CURRENT LOCATION FOR WHERE T LACK HAS LOCATED THIS MAP WILL BE INTO POSITION THE CONDITIONS AND NEEDED FACILITY AT THIS LOCATION. A NUMBER OF CONSTRUCTION COSTS ARE HIGHER BECAUSE OF THESE CONSTRAINTS. AND IT ALSO IT HIGHER DUE TO COMPLIANCE WITH BUILDING CODE REQUIREMENTS AND THE LIMITATIONS ON THE PROPERTY FOOTPRINT. ONE OF THE ISSUES IS EXISTENCE OF TWO OVERHEAD ELECTRIC TRANSITION LINES WITH A 40-FOOT EASEMENT, EACH RUNNING EAST AND WEST ON THE PROPERTY. ANOTHER CONSTRAINT IS A MAJOR 72-INCH WATER TRANSMISSION LINE THAT ORIGINATES FROM THE ALL RICH WATER TREATMENT PLANT IN WEST AUSTIN AND RUNS ALONG THE NORTHERN END OF THE PROPERTY. IT SERVES THE DOWNTOWN AREA, EAST AUSTIN AND A HUGE NUMBER OF CUSTOMERS. IT IS ALSO A VERY CRITICAL LINE AND WILL BECOME EVEN MORE CRITICAL WHEN THE GREEN WATER TREATMENT PLANT IS CLOSED IN THE NEXT TWO TO THREE YEARS. A THIRD ISSUE IS THAT 8-INCH WATER -- WASTEWATER LINE THAT BASICALLY DISSECTS THE PROPERTY THROUGH THE CENTER. THE ELECTRICAL WATER AND THE WASTEWATER LINES WOULD REQUIRE RELOCATION PRIOR TO ANY FUTURE CONSTRUCTION. THE COST OF THE ELECTRICAL IS ABOUT 750,000, AND WATER AND WASTEWATER IS ABOUT 370,000. IF THE LAND STAYS AS PARK USE, THE LINES WOULD NOT NEED TO BE RELOCATED. A FOURTH AND IMPORTANT CONCERN IS THE 100-YEAR FLOODPLAIN THAT IS LOCATED ON THE SOUTHERN END OF THE PROPERTY NEAR THE ADMINISTRATION BUILDING AND COVERING THE EXISTING PARKING LOT. THE LAST CONSTRAINT IS THE HIGH NUMBER OF PROTECTED TREES, 30 TO BE EXACT. THE TREES ARE PROTECTED BECAUSE ANY TREE LARGER THAN 19 INCHES ARE CONSIDERED PROTECTED PER THE LAND DEVELOPMENT CODE. AND WE CERTAINLY WANT TO PRESERVE OUR TREES, BUT THEY DO PRESENT A CHALLENGE IN BEING ABLE TO BUILD AT THAT SITE. STAFF COMPLETED A MORE DETAILED COST ESTIMATE FOR REPLACING THE CURRENT ANIMAL SHELTER USING THE EXISTING SITE AS COMPARED TO THE HUMAN HEALTH AND SERVICES CAMPUS. PLEASE NOTE WHEN ALL THE NUMBERS

ARE ADDED TOGETHER THE TOTAL COST FOR CONSTRUCTING A NEW FACILITY AT THE TL ASM C SITE IS \$22.2 MILLION COMPARED TO \$14.5 MILLION AT THE HEALTH AND HUMAN SERVICES SITE. AS YOU WILL SEE, THERE ARE A NUMBER OF SIGNIFICANT -- THERE ARE SEVERAL SIGNIFICANT DIFFERENCES IN OVERALL CONSTRUCTION COST, WHICH INCLUDE MANY OF THE SITE CONSTRAINTS WE PLAN TO DISCUSS IN FURTHER DETAIL IN THIS REPORT, AND THE TEMPORARY RELOCATION OF SHELTER OPERATIONS FOR A TWO-YEAR PERIOD WHILE BUILDING THE NEW SHELTER. THIS NEXT SLIDE GIVES YOU A BREAKDOWN OF SOME OF THE MAJOR COST DRIVERS AND THE SITE CONSTRAINTS THAT WOULD HAVE TO BE CONSIDERED PRIOR TO BUILDING AT THE TLAC SITE. THE MOST SIGNIFICANT COST WOULD BE THE RELOCATION OF SHELTER OPERATIONS TO A TEMPORARY BUILDING FOR AT LEAST TWO YEARS. THE SITE DOES NOT HAVE ANY AVAILABLE VACANT LAND TO BE ABLE TO SIMULTANEOUSLY ACCOMMODATE CONTINUED SHELTER OPERATIONS AND THE CONSTRUCTION OF A NEW FACILITY AT THE SAME TIME. OUR ONLY SOLUTION WOULD BE ABLE TO MOVE ALL OF THE SHELTER OPERATIONS TO A LEASED SPACE. THE ISSUES HERE ARE, THE TEMPORARY SPACE WOULD HAVE TO BE RENOVATED TO MEET STATE STANDARDS, BE ABLE TO ACCOMMODATE LARGE VOLUMES OF ANIMALS, BE ABLE TO HOUSE THE DIFFERENT FUNCTIONS OF A SHELTER, INCLUDING AN ADOPTION AREA, VETERINARY CLINIC AND SUPPLY AREA. THE NEXT COST DRIVER IS HIRED CONSTRUCTION BECAUSE THE CURRENT SITE IS A VERY TIGHT SITE REQUIRING OFF-SITE STORAGE AND WORKING AROUND THE TREES. HIGHER FOUNDATION COSTS DUE TO DRILL PIERCE AND CASINGS AND A TWO-STORY BUILDING REQUIRING ELEVATORS. IN TERMS OF PARKING, THE PARKING GARAGE IS NEEDED BECAUSE THERE IS NOT ENOUGH ROOM FOR SURFACE PARKING. THE SITE WILL REQUIRE 150 SPACES COMPARED TO THE CURRENT SITE WHICH HAS 49 SPACES ON-SITE AND ABOUT 40 SPACES THAT ARE SHARED OFF-SITE WITH PARKING FOR THE BALL FIELDS. TO MEET SITE PERMIT REQUIREMENTS, SITE DRAINAGE, SUBGRADE PREPARATION AND WATER QUALITY ARE REQUIRED AS WELL. WATER AND WASTEWATER INCLUDES RELOCATION OF LINES AROUND THE BUILDING AND PARKING

STRUCTURE. THIS IS HOW IT WAS BUILT 50 YEARS AGO, BUT THE NEW SITE DEVELOPMENT CRITERIA WOULD NOT ALLOW THIS TODAY. THE WASTEWATER LINE FEEDS AREAS NORTH OF THE SITE. AS FAR AS TRANSMISSION LINES, THESE LINES FEED THE DOWNTOWN AREAS AND WOULD NEED TO BE RELOCATED. ANN WE TALKED ABOUT THE TREES AS WELL. THIS MAP SHOWS THE LOCATION OF THE CURRENT AND PROPOSED ANIMAL SHELTER FACILITIES. AS YOU WILL NOTE THE NEW LOCATION IS VERY NEAR TO THE CURRENT LOCATION. IT IS APPROXIMATELY SIX MILES AND TAKES ABOUT 15 MINUTES TO DRIVE. THE HEALTH AND HUMAN SERVICES CAMPUS. [NOISE FROM THE CROWTS]

MAYOR WYNN: LET HIM FINISH.

THE HEALTH AND HUMAN SERVICES SITE PROVIDES ADEQUATE SPACE FOR THE NEW SHELTER AND PROVIDES SPACE FOR FUTURE EXPANSION. WE BELIEVE THIS IS A VERY NICE FEATURE OF THIS PROPERTY. THERE IS SPACE FOR THE DEVELOPMENT OF OTHER ANIMAL-RELATED AMENITIES SUCH AS A DOG PARK OR STERILIZATION PLING. THERE IS THE POTENTIAL FOR NEW PROGRAMS AT THE SHELTER, INCLUDING A PITBULL STERILIZATION PROGRAM, YOUTH PROGRAMS THAT FOCUS ON CHANGING THE FOCUS OF OWNERSHIP, A CRUELTY TRAINING CLASS FOR THE PUBLIC AND FOSTER PROGRAMS FOR KITTENS, PUPPIES AND INJURED ANIMALS AND TO TEACH OBEDIENCE MANNERS. ADDITIONALLY WE HAVE BEEN PURSUING OPTIONS FOR AFFORDABLE HOUSING ON THE NORTHEAST CORNER OF THE PROPERTY THAT COULD POTENTIALLY BRING ABOUT MUCH NEEDED SINGLE-FAMILY RESIDENTIAL TO THE NEIGHBORHOOD. AND WE HAVE PROPOSED THAT, IF YOU WILL NOTE, IN THE MAP THAT WE HAVE THERE. ONE OF THE PRIMARY ISSUES HAS TO DO WITH THE FUTURE OF THE TOWN LAKE ANIMAL CENTER. THERE HAVE BEEN CONCERNS THAT THE CURRENT SITE WILL BE USED FOR SPECIFIC REDEVELOPMENT OR DEVELOPMENT OF CONDOS. THE CURRENT SHELTER SITS ON DEDICATED PARKLAND. TLAC WAS BUILT 50 YEARS AGO ON AN AREA THAT WAS NOT RESTRICTED TO THE 1969 STATE LAW THAT PROTECTED PARKLAND. BASICALLY THE TLAC SITE IS GRANDFATHERED UNLESS WE PLAN TO CHANGE THE USE. ANY NEW CONSTRUCTION IS NOW PROHIBITED UNLESS IT GOES

THROUGH A SPECIAL VOTER REFERENDUM. AUSTIN VOTERS WOULD HAVE TO VOTE TO ESSENTIALLY UNDEDICATE THE SITE BEFORE IT COULD BE USED FOR ANYTHING OTHER THAN PARK PURPOSES. THE CITY OF AUSTIN DOES NOT HAVE ANY PLANS TO PROPOSE TO VOTERS -- AUSTIN VOTERS A CHANGE IN USE, ESPECIALLY WHEN WE HAVE A LOT OF NEED FOR ADDITIONAL PARKLAND AND CITY COUNCIL HAS BEEN VERY CLEAR ON THE NEED TO ENHANCE LADY BIRD LAKE. WE ENVISION THE SITE AS BEING ANOTHER KEY FEATURE OF OUR PARKS SYSTEM. HOWEVER, IN ORDER FOR US TO DO ANYTHING WITH THE LAND WE WOULD INCORPORATE IT AS A PART OF OUR PARKS MASTER PLAN THAT WOULD GO THROUGH THE REGULAR PUBLIC PROCESS. IT ONLY MAKES SENSE THAT WE ALLOW MUCH OF THIS PROPERTY TO REVERT BACK TO PARK USE WITH SO MUCH SYNERGY AND PARK OPPORTUNITIES. ADDITIONALLY WE ARE CONSIDERING THE POSSIBILITY OF FUTURE OFF-SITE PET ADOPTION SERVICES AT THE CURRENT SITE IN AN EFFORT TO CONTINUE TO PROVIDE AS MANY OPPORTUNITIES AS POSSIBLE TO PLACE ANIMALS IN OUR FACE GROWING COMMUNITY. WE PLAN TO CONSIDER USING ONE OF THE NEWER BUILDINGS AS A HOUSE FOR THIS ADOPTION SERVICE. MAYOR, ONE OF THE OTHER THINGS THAT WE DID PROVIDE FOR YOU, FOR YOUR REVIEW, WAS AN 85 PAGE REPORT OF THE CITY'S INVENTORY OF LAND WITH AN EXECUTIVE SUMMARY. I MUST SAY THAT THIS LIST REPRESENTS OVER 48,000 ACRES THAT WE CURRENTLY HAVE IN INVENTORY. THIS LIST INCLUDES BOTH OPEN TRACTS OF LAND AND TRACTS OF LAND THAT HAVE CITY FACILITIES AND CITY BUILDINGS ON IT. IT IS IMPORTANT TO NOTE THAT, YOU KNOW, AS THE WAY WE APPROACH THE ACQUISITION OF PROPERTY IS THAT THE VAST MAJORITY OF THESE PROPERTIES ARE ACQUIRED FOR AN INTENDED PURPOSE -- AND ARE DEDICATED FOR A PARTICULAR PUBLIC SERVICE. SO IT INCLUDES PROPERTIES AGAIN WITH CITY BUILDINGS OR OTHER OPEN TRACTS. WE HAVE LOOKED AT THIS LIST. WE HAVE NOT BEEN ABLE TO -- DID NOT IDENTIFY ANY OTHER CITY PROPERTY NOT CURRENTLY BEING UTILIZED, BECAUSE AGAIN, THIS USUALLY IS A LIST THAT HAS INTENDED PURPOSES OR FACILITIES ARE CURRENTLY ON IT. MAYOR, THIS CONCLUDES OUR PRESENTATION. I HAVE A NUMBER OF STAFF THAT ARE HERE AND CERTAINLY

AVAILABLE TO ANSWER ANY QUESTIONS THAT YOU MAY HAVE, SO THAT CONCLUDES OUR PRESENTATION.

MAYOR WYNN: THANK YOU, MR. LUMBRERAS. I ACTUALLY HAVE A COUPLE QUESTIONS ON THE PRESENTATION. SO IN THINKING THROUGH REALISTICALLY A TEMPORARY SHELTER, SHOULD WE DECIDE TO TRY TO REBUILD AT THE CURRENT SITE, I MEAN, I'M HAVING A HARD -- WHEN WE -- BY THE WAY, WE'VE BEEN LOOKING AT OTHER PROPERTIES FOR OTHER VOTER-APPROVED BOND INITIATIVES. TODAY EARLIER WE GAVE DIRECTION FOR STAFF TO MOVE FORWARD ON PURCHASING A HOME DEPOT FOR RELOCATING OUR MUNICIPAL COURT AND NORTHEAST POLICE SUBSTATION. SO WE SEE THIS LONG LIST, 75 PROPERTIES, THAT WERE LOOKED AT FOR THAT FACILITY, AND WE SEE HOW DIFFICULT IT IS TO FIND AN EXISTING BUILDING THAT COULD BE USED FOR VIRTUALLY ANYTHING ELSE. YOU KNOW, FOR THERE TO BE A TWO-YEAR TEMPORARY ANIMAL SHELTER, THE SCALE OF WHICH THIS TOWN NEEDS, THAT WOULD HAVE TO MEET APPARENTLY STATE STANDARDS OR CERTAINLY SOME HUMANE STANDARDS, I'M HAVING A HARD TIME TRYING TO VISUALIZE YOU KNOW WHAT THAT WAREHOUSE LOOKS LIKE, AND IT JUST SEEMS TO ME, IT'S ALMOST LIKE ONE WOULD HAVE TO GO BUILD, LITERALLY, FROM THE GROUND UP, BUILD A TEMPORARY SHELTER FOR TWO YEARS THAT WOULD MEET THE CRITERIA, THE STANDARDS, IN ORDER FOR US THEN TO GO BULLDOZE THE EXISTING SHELTER AND RECONSTRUCT, YOU KNOW, APPROXIMATELY IN ITS SAME FOOTPRINT. AND SO I'M -- I KNOW YOU -- YOU-ALL HAD TO STRUGGLE THROUGH THAT AND YOU HAD TO PUT A NUMBER TO THAT. YOU PUT 2 MILLION AND CHANGE AS THAT LINE ITEM. I DON'T KNOW AT ANY COST YOU CAN -- YOU CAN FIND A FACILITY THAT ONE COULD RETROFIT, FIND AN EMPTY BIG BOX, PRESUMABLY, THAT ONE COULD RETROFIT AND THEN MEET THE STANDARDS THAT WILL BE REQUIRED FOR IT TO BE OPERATIONAL FOR A CITY AND COMMUNITY THIS SIZE ONLY TO THEN ABANDON IT WHEN YOU MOVE BACK TO THE CURRENT SITE. SO I'M -- YOU KNOW, I APPRECIATE THE EFFORT OF TRYING TO COME UP WITH WHAT THAT LINE ITEM MIGHT BE, THAT COST MIGHT BE. I THINK IT'S -- I THINK IT'S VIRTUALLY IMPOSSIBLE AT ANY PRICE OTHER THAN TO

CONSTRUCT A NEW ONE FROM THE GROUND UP, ONLY TO THEN ABANDON IT WHEN YOU MOVE BACK. SO I WANT TO TAKE A COUPLE MINUTES -- AND I APPRECIATE THE TIMELINE YOU GAVE US ABOUT THE ADVISORY COMMITTEE. YOU START WITH APRIL 7, 2005. IT WAS ACTUALLY JANUARY OF 2005 THAT I CALLED A PRESS CONFERENCE AND MADE THE ANNOUNCEMENT OR THE CALL THAT I WAS GOING TO ASK MY THEN COUNCIL COLLEAGUES TO JOIN ME IN CALLING FOR A SIGNIFICANT, YOU KNOW, NEXT GENERATION BOND PACKAGE, AND RECOGNIZING THAT IT WAS PROBABLY STILL, YOU KNOW, 18 MONTHS OR SO AWAY AT THE TIME, AND SO GOOD EVENING IN JANUARY OF... OF '05 THERE WAS SIGNIFICANT COMMUNITY, CITY DEPARTMENT AWARENESS THAT WE WERE GEARING UP THAT WE'RE GOING TO FIGURE OUT, ONE, HOW MUCH MONEY WE POSSIBLY COULD SCRAPE TOGETHER, YOU KNOW, WELL OVER HALF A BILLION DOLLARS, BUT THEN THE FLIP SIDE OF THAT IS WE'RE GOING TO FIGURE OUT, YOU KNOW, THIS MULTI-BILLION DOLLAR NEEDS ASSESSMENT THAT INEVITABLY A CITY THE SIZE OF AUSTIN AND GROWING LIKE IT, HAD. AND THE BIG CHALLENGE IS HOW DO YOU WHITTLE THROUGH THAT. AND THEN MY COUNCIL COLLEAGUES AND I PUT TOGETHER THE BOND ADVISORY COMMITTEE. 21 CITIZENS THAT WE -- WE TOOK A LOT OF TIME AND EFFORT TO STRUCTURE THAT COMMITTEE, BECAUSE WE WANTED IT TO BE VERY REFLECTIVE OF THIS COMMUNITY. IT WAS FOLKS, YOU KNOW, FROM ALL WALKS OF LIFE. IT WAS FOLKS FROM ALL ETHNICITIES. IT WAS FOLKS FROM ALL PARTS OF TOWN THAT THEN, YOU KNOW, GOT TOGETHER UNDER THE GUIDELINES OF DR. URDY. BECAUSE THEY THEN HAD THE UNENVIABLE CHALLENGE OF HAVING CITY STAFF IN A VERY APPROPRIATE WAY PRESENT -- I THINK I REMEMBER THE NUMBER BEING \$2.1 BILLION IN CURRENT NEEDS ASSESSMENT, EVERYTHING FROM URBAN DRAINAGE TO ADDITIONAL PARKLAND TO PARKLAND IMPROVEMENT, TO OPEN SPACE, TO AFFORDABLE HOUSING, TO OUR PARKS, YOU KNOW, FACILITIES, TO TRANSPORTATION, TO STREET RECONSTRUCTION, TO UTILITIES..... UTILITIES, LITERALLY BILLIONS OF DOLLARS WORTH OF NEEDS, WE ALL KNEW WE WERE GOING TO HAVE 5, 6, MAYBE \$700 MILLION IF WE'RE LUCKY TO ASK VOTERS FOR APPROVAL. SO FOR THE NEXT YEAR OR MORE THAT 21 -- THAT BOND ADVISORY

COMMITTEE OF 21 CITIZENS HAVE THEN STRUGGLED THROUGH THAT. AND PROJECTS STARTED DROPPING OFF THE RADAR SCREEN BECAUSE OF COST, BECAUSE OF PRICE, BECAUSE THIS BALANCED CITIZEN COMMITTEE WANTED TO MAKE SURE WE DID ADDRESS THE BROAD SPECTRUM OF NEEDS IN THIS COMMUNITY, FROM A FORMAL HOUSING TO ENVIRONMENTAL PROTECTION TO URBAN DRAINAGE. WE DIDN'T EVEN TOUCH, YOU KNOW, A TENTH OF THE NEED ON EXISTING URBAN DRAINAGE IN THIS COMMUNITY WITH THAT BOND ELECTION BECAUSE IN PART WE HAD WHITTLED THAT NUMBER DOWN TO TRY TO GET A LITTLE MORE OPEN SPACE OR MORE FORMAL HOUSING OR MAYBE HELL WARREN REPAIR A FEW MORE BUILDINGS IN OUR PARKS SYSTEM. SO IT WAS AN UNENVIABLE AND PAINFUL TO HAVE TO WATCH THOSE CITIZENS DO THAT. THEY BROKE INTO FACILITIES SUBCOMMITTEE AND CITY STAFF SUGGESTED WE BUILDING AT THE CURRENT LOCATION. THE NUMBER WAS BIG, AND BECAUSE THEY HAD DONE MUCH OF THIS MATH TWO YEARS AGO ABOUT A TEMPORARY LOCATION AND HOW DO WE BUILD WITHIN THAT CHALLENGING SERIES OF SITE CONSTRAINTS, AND IT WAS A BIG NUMBER. AND THE CITIZENS LOOKED AT THAT AND SAID, YOU KNOW, WE -- WITH ALL THESE OTHER NEEDS WE CAN'T JUSTIFY THAT BIG A NUMBER. DO WE NEED A NEW SHELTER? YOU BET WE DO, BUT WE NEED LOTS OF OTHER THINGS IN THIS COMMUNITY TOO. AND PRETTY QUICKLY, EVEN WITH -- AND ESPECIALLY AFTER A SITE VISIT, THAT SUBCOMMITTEE, THE FACILITIES SUBCOMMITTEE OF THOSE 21 CITIZENS, AFTER TOURING THE HEALTH CAMPUS, REAL QUICKLY SAID, WAIT A MINUTE. WE WANT TO KEEP A NEW SHELTER SOMEWHERE IN THIS MIX. IT AIN'T GOING TO BE 25 MILLION BUCKS, AND HERE'S A WAY WHERE WE CAN SUPPORT HAVING IT PRESENTED TO COUNCIL. LATER -- THEN SORT OF THE -- YOU KNOW, SADLY, WE WERE PREPARED TO PUT THE ENTIRE BOND PACKAGE BEFORE THE VOTERS IN MAY OF '06, BUT BY THE EARLY SPRING OF '06 THERE WERE A COUPLE OF BLOCK-HEADED PROPOSITIONS FORCED UPON US ON THAT BALLOT, PROP 1 AND PROP 2. I DON'T KNOW IF YOU REMEMBER THOSE OR NOT. SOME OF THE THINKING PEOPLE IN THIS COMMUNITY REALIZED THERE IS GOING TO BE A BIG, BIG PUSH BACK TO THOSE POORLY, POORLY THOUGHT THROUGH PROPOSITIONS, BECAUSE THEY'RE GOING TO BE

ON THE BALLOT IN MAY OF '06, AND SO PEOPLE FROM ALL WALKS OF LIFE SAID, I DON'T THINK WE WANT TO BE ASKING A BUNCH OF VOTERS WHO ARE GOING TO BE ANGRY AT TWO BLOCK-HEADED PROPOSITIONS, CONSERVATIVE VOTERS COMING OUT TO TURN THOSE TWO PROPOSITIONS DOWN 70-30. WE DON'T WANT TO PUT THINGS LIKE AN ANIMAL SHELTER IN AND A CENTRAL LIBRARY AND AFFORDABLE HOUSING AND OPEN SPACE ACQUISITION FUNDS ON THAT BALLOT AND WATCH IT GET Poured OUT BY VOTERS WHO WERE ANGRY AT WHAT THEY HAD SEEN. SO WE HAD TO STALL FOR ANOTHER SIX MONTHS. WE HAD TO WAIT SIX MORE MONTHS, TO NOVEMBER OF '06, TO ASK VOTERS TO RAISE THEIR TAXES TO WE COULD START TO ADDRESS SOME OF THE BROAD NEEDS IN THIS COMMUNITY. DURING THOSE EXTRA SIX MONTHS THERE WAS EVEN MORE DISCUSSION AND ANALYSIS ABOUT THIS. BUT AT THE TIME, AND WITH ALL DUE RESPECT TO EVERYBODY HERE, I HAD TWO SENIOR COLLEAGUES WHO HAD SERVED SIX YEARS WITH ME ON THIS DAIS. IN JUNE OF THAT YEAR WAS GOING TO BE THEIR LAST MEETING, DANNY THOMAS AND RAUL ALVAREZ, TWO MEN I RESPECT LOOKED AND SAT WITH THEM ON THIS DAIS FOR SIX YEARS. JUNE OF '06 WAS GOING TO BE THEIR LAST MEETING, AND SO AS MAYOR I DIDN'T WANT TO LOSE THAT EXPERIENCE, THOSE TWO GENTLEMEN. I WANTED TO HAVE THEM ON THIS DAIS AS THOSE RECOMMENDATIONS WERE BROUGHT TO US FROM THE 21 CITIZENS ABOUT WHAT ARE OUR BROAD NEEDS AND WHAT CAN WE AFFORD. AND SO -- AND SO JUNE OF '06 DR. URDY MADE THEIR BIG PRESENTATION, POWERPOINT PRESENTATION. EACH OF THE 7 PROPOSITIONS, PROPOSED PROPOSITIONS WERE BUNDLED, PUT UP ON THE SCREEN, INCLUDING THE ADDRESS THEN, 601 AIRPORT BOULEVARD FOR A \$12 MILLION ANIMAL SHELTER AND A LOT OF OTHER THINGS TOO. AND SO THE SEVEN OF US THEN STARTED DEBATING AND WORKING ON THAT -- ON THAT SERIES OF RECOMMENDATIONS. WE AMENDED IT SIGNIFICANTLY WITH THE HELP OF MAYOR PRO TEM DUNKERLEY'S FINANCIAL MIND WE WERE ABLE TO SORT OF PIECE TOGETHER WHAT WOULD BE THE PROPERTY TAX RATE INCREASE WE WOULD BE ASKING OUR VOTERS TO APPROVE. WE ULTIMATELY CAME UP WITH A SLIGHTLY LARGER NUMBER THAN THE CITIZEN BOND ADVISORY COMMITTEE HAD RECOMMENDED

TO US. WE GOT MORE OUT -- YOU KNOW, WE WRUNG A LITTLE BIT MORE OUT OF THAT WASHCLOTH. SO WE STARTED AMENDING THOSE -- STARTED AMENDING THOSE 7 PROPOSITIONS. WE ONLY ENDED UP AMENDING ABOUT THREE OF THEM. WE SIGNIFICANTLY INCREASED AFFORDABLE HOUSING DOLLARS. WE SIGNIFICANTLY INCREASED OPEN SPACE DOLLARS TO BIG, BIG NEEDS IN THIS GROWING COMMUNITY. WE DIDN'T TOUCH PROPOSITION 7 OR SEVERAL OTHERS. WITH THE STATED RECOMMENDATION FROM THE 21 CITIZENS ABOUT RELOCATING THE ANIMAL SHELTER, \$12 BILLION, TO OUR HEALTH DEPARTMENT CAMPUS. THIS PREVIOUS COUNCIL, INCLUDING MY MOST SENIOR TWO COLLEAGUES, ACCEPTED THAT RECOMMENDATION, ACCEPTED ESSENTIALLY ABOUT 80% OF THE RECOMMENDATION, CHANGED ABOUT 20% OF THEM TO THEN PRESENT THAT TO THE VOTERS. I'M PROUD OF THE ROLE THAT I THEN PLAYED THROUGHOUT THE SUMMER. I FORMED -- CITY OF AUSTIN AS A CITY OFFICIAL, I INFORMED THEM WE COULDN'T GO ADVOCATE -- WE COULDN'T USE CITY FUNDS, COULDN'T USE CITY COMPUTERS, COULDN'T USE CITY TELEPHONES TO GO TRY TO CONVINCE VOTERS TO VOTE YES ON RAISING THEIR TAXES IN NOVEMBER. SO I HAD TO GO, YOU KNOW, GET A SECOND PHONE LINE PUT INTO MY HOUSE. I FORMED A POLITICAL ACTION COMMITTEE. I SERVED AS CHAIRMAN AND TREASURER. I RAISED \$300,000 IN PRIVATE MONEY TO THEN GO RUN A CAMPAIGN ASKING CITIZENS TO PLEASE HELP US. THIS IS A WELL-CRAFTED, WELL THOUGHT OUT EXERCISE IN FORCED TRADE-OFFS THAT YOUR CITIZENS, YOUR FELLOW CITIZENS ARE BRINGING TO YOU AND I'M VERY, VERY PROUD OF THIS COMMUNITY WHO IN HARD TIMES STILL RECOGNIZE THAT WE HAVE SIGNIFICANT, SIGNIFICANT CHALLENGES AND NEEDS AS A BIG AND GROWING COMMUNITY, AND THE VOTERS APPROVED ALL SEVEN OF THOSE PROPOSITIONS. AND SO NOW WE HAVE THE VOTER APPROVAL, WE HAVE THE FINANCIAL FLEXIBILITY, A LITTLE BIT OF WHEREWITHAL TO GO START TO MEET SOME OF THESE BROAD NEEDS. SO I APOLOGIZE FOR BEING SO WORDY, COLLEAGUES, BUT I WANTED TO TRY TO ACTUALLY GET A LITTLE MORE CONTEXT TO BERT'S PRESENTATION, BOTH ON TIMING AND ON HOW ELABORATE WAS THE -- THAT EXERCISE IN FORCED TRADE-OFFS BY 21 OF OUR CITIZENS, AND THEN A PREVIOUS

COUNCIL, THAT WE ARE LUCKY THAT THEY WERE ABLE TO GET THAT DONE IN JUNE BECAUSE WE HAD SIGNIFICANT, SIGNIFICANT EXPERIENCE AND PASSION ON THAT DAIS THAT NIGHT AS WE MADE A COMPLICATED AND -- BUT IMPORTANT DECISION TO ASK THE VOTERS. SO SORRY FOR THAT.
[INAUDIBLE]

MAYOR WYNN: I KNOW THEY ARE. SORRY. FURTHER COMMENTS OR QUESTIONS FOR STAFF BEFORE WE THEN START TAKING SOME CITIZEN TESTIMONY? ANY ADDITIONAL QUESTIONS OF MR. LUMBRERAS? COUNCIL MEMBER MARTINEZ?

MARTINEZ: I JUST -- I WANTED TO THANK MR. LUMBRERA MR. LUMBRERAS 85 PAGE DOCUMENT OF ALL THE PROPERTIES WE OWN. IT WOULD HAVE BEEN HELPFUL TO RECEIVE THIS TWO MONTHS AGO WHEN I ASKED FOR IT AND I'M WONDERING HOW WE CAN EXPECT TO BE ABLE TO REVIEW THIS INFORMATION IN THE TIME WE HAVE TONIGHT AND MAKE THIS DECISION. [APPLAUSE] MR. LUMBRERAS, THIS IS JUST PART OF THE ISSUES WE'RE STRUGGLING WITH TONIGHT WITH THIS DECISION, YOU..... YOU KNOW, WE ARE GOING TO MAKE A DECISION TONIGHT AND WE'RE GOING TO MOVE ON. BUT THIS IS PART OF THE FRUSTRATION. I ASKED FOR THIS FROM YOU IN A MEETING TWO MONTHS AGO, AND BECAUSE -- BECAUSE, YOU KNOW, I THINK IT'S SIGNIFICANT INFORMATION TO HELP US TRY TO MAKE THIS DECISION. SO I WANTED TO ASK YOU A COUPLE QUESTIONS, BECAUSE IN THE MEETING A FEW MONTHS AGO I ASKED YOU SOME QUESTIONS AND YOU CAME BACK WITH A MEMO ON SEPTEMBER 25, AND YOU SAID THAT IN 2000 AND 2001 THERE WERE SOME PROPERTIES THAT STAFF REVIEWED FOR POTENTIAL RELOCATION TO AN ANIMAL SHELTER SITE. THE PROPERTIES THAT YOU LISTED, OF THE NINE, ONLY SIX WERE AVAILABLE BECAUSE ONE WAS A FIRE STATION, ONE WAS CONVENTION CENTER, AND ONE WAS AUSTIN ENERGY LAND. BUT OF THOSE SIX WE HAD VISION VILLAGE IN EAST AUSTIN. WE HAD THE ONION CREEK SITE EAST OF I-35. WE HAD A VACANT STORE ON EAST STASSNEY LANE. WE HAD A SITE NEAR THE TRAVIS COUNTY EXPO CENTER IN EAST AUSTIN, AND THEN WE HAD THE ROBERT MILLER DEVELOPMENT IN EAST AUSTIN. AND SO I ASKED YOU AT THAT TIME, WHAT WAS THE CRITERIA THAT YOU USED OR

THAT STAFF USED TO ESTABLISH HOW WE GO OUT AND LOOK FOR A SITE? BECAUSE I'M CURIOUS HOW THEY ALL ENDED UP BEING IN EAST AUSTIN. [APPLAUSE] [CHEERING].....CHEERING]

COUNCIL MEMBER, IF WE DIDN'T PROVIDE YOU -- OR I DIDN'T PROVIDE YOU THAT LIST UPON YOUR REQUEST, THEN I APOLOGIZE. THAT SHOULD HAVE BEEN SOMETHING WE SHOULD HAVE FOLLOWED UP AND I SHOULD HAVE GOTTEN TO YOU. AS FAR AS THE CRITERIA AND HOW WE LOOKED AT THOSE PARTICULAR PROPERTIES AND HOW WE KEPT FOCUSING ON EAST AUSTIN, JENNY PLUMBER FROM REAL ESTATE IS HERE AND IF I CAN ASK HER TO COME UP, SHE WAS INVOLVED IN THAT PROCESS AT THE TIME AND I'M SURE THAT SHE CAN BE ABLE TO TRY TO ADDRESS THAT FOR YOU AND SEE IF MAYBE WE CAN PROVIDE YOU SOME ADDITIONAL INFORMATION.

MARTINEZ: THANK YOU.

GOOD EVENING. PUBLIC WORKS REAL ESTATE. IN 2000, 2001 WE WERE LOOKING AT WHAT WERE SOME OPPORTUNITIES, WHERE WERE SOME PLACES THAT WE COULD LOOK, AND WHERE THERE WEREN'T SOME DESIGNATIONS OF PARKLAND, LIKE THE SITE THAT'S ON WALNUT CREEK, 290 AND FERGUSON LANE, WE HAD A PROPERTY OWNER WITH AN UNDIVIDED INTEREST THAT WE NEEDED TO FIGURE OUT HOW TO RESOLVE THAT UNDIVIDED INTEREST, AND WAS THAT AN OPPORTUNITY FOR THE SHELTER. WE LOOKED AT THE SITE, THE 5 ACRES MENTIONED AT STASSNEY BECAUSE THAT HAD SOME POTENTIAL FOR ADDITIONAL DEVELOPMENT FOR SOME PONDS. IT WAS ACTUALLY BOUGHT WITH WATERSHED MONEY AND HAD SOME OPPORTUNITY TO IT. SO WE WERE EXPLORING A VERY DIFFICULT INVENTORY. I KNOW THAT OUR INVENTORY IS LONG BUT IT'S A COMPLICATED ONE. WE DON'T OFTEN HAVE THE LUXURY OF BUYING LAND FOR SURPLUS PURPOSES, AND SO WE WERE LOOKING FOR WAS THERE SOMETHING OUT THERE. THERE WASN'T ANYTHING IN THE PROCESS THAT TARGETED A SPECIFIC EAST AUSTIN. WE DID SORT OF LOOK, BUT THE MAJORITY OF PROPERTY THAT WE HAD ON THE WEST SIDE EITHER FELL UNDER SOS AND WOULDN'T HAVE THE CORRECT IMPERVIOUS COVER OR WAS

PARKLAND OR BCP. SO WE DIDN'T HAVE A SITE THAT MET THAT. SO WE WERE CONTINUING JUST TO LOOK FOR AND EXPLORE WITHOUT FUNDS AN OPPORTUNITY OUT OF THE INVENTORY THAT WOULD MEET THAT NEED.

MARTINEZ: THANK YOU.

MAYOR WYNN: MAYOR PRO TEM?

DUNKERLEY: BACK IN 2000-2001 I HAD ANOTHER ROLE AT THE CITY. I WAS ON THE STAFF, AND I WAS ACTIVELY PARTICIPATING IN A SEARCH FOR A NEW SHELTER SITE. AND I THINK THE PRIMARY CRITERIA WE USED IS LISTED ON PAGE 5, BUT WHEN YOU START PUTTING ALL OF THOSE THINGS TOGETHER, WE REALLY LOOKED AT ANYTHING THAT WOULD AVAILABLE NORTH, EAST, SOUTH, WEST, THAT WE COULD FIND, AND I VISITED WITH JUNIE MOST OF THE TIME A LOT OF THESE SITES AND SOME OF THEM WERE BIG ENOUGH BUT DIDN'T HAVE ACCESS, SOME OF THEM WERE IN FLOODPLAINS. WE SEARCHED EXTENSIVELY, WITH EVERY PIECE OF PROPERTY THAT WE COULD FIND THAT WAS BIG ENOUGH TO DO THE THINGS WE WANTED TO DO. WE WANTED TO HAVE A STATE OF THE ART SHELTER. WE WANTED TO HAVE ROOM FOR AN ANIMAL PARK, AND WE HAD HOPED TO MAKE IT FAIRLY CLOSE TO THE PARK SYSTEM AND THE TRAILS SO WE COULD EXPAND THAT. WE WANTED A TRAINING AREA. WE WANTED A PLACE SO THAT WE COULD HAVE PARTNERS. AT ONE TIME WE HAD A GRANDER VISION THAN WE HAVE NOW, BUT THEY HAVE ACCESS TO THE PARTNERS THAT LIKE EMACIPED OR SOME OF THE FOLKS WE DO BUSINESS WITH THAT WE COULD SHARE THEIR LOCATIONS. WE WOULD HAVE BEEN HAPPY WITH A SMALLER SITE IF WE COULD HAVE FOUND ONE THAT REALLY MET ALL OF THOSE NEEDS, BUT I WOULD LIKE TO ECHO WHAT JUNIE SAID. USING THE CRITERIA THAT WE HAD AND THE VISION THAT THE COMMUNITY KIND OF PUT TOGETHER AT THAT TIME, AT LEAST WE JUST COULDN'T FIND ANYTHING, SO WE WERE LEFT AT THAT TIME REALLY WITH NOTHING. AND I DON'T KNOW AT WHAT TIME SOMEBODY THOUGHT ABOUT THE HEALTH CAMPUS SITE BUT IT WAS CERTAINLY LONG AFTER THIS.

MCCRACKEN: MAYOR,.

MAYOR, I'M NOT GOING TO BELABOR THIS. I THINK MY POSITION IS PRETTY CLEAR RIGHT NOW BASED ON THE INFORMATION THAT WAS JUST PRESENTED TO US, BUT I DON'T SEE HOW WE CAN ESTABLISH CRITERIA IN THE YEAR 2000 AND 2001 AND GO OUT AND DO A SEARCH AND THEN ESTABLISH NEEDS ASSESSMENT AND A BOND ADVISORY COMMITTEE IN 2005 AND THEN COME UP WITH A RECOMMENDATION FROM THEM AND NOT REEVALUATE THAT CRITERIA BASED ON THE BOND ADVISORY'S RECOMMENDATIONS. THE NEEDS ASSESSMENT CAME OUT IN THE 30 MILLION DOLLAR RANGE AND THE BOND ADVISORY'S ASSESSMENT WAS CUT DOWN TO THE \$12 MILLION RANGE. IF WE STUCK TO THE SAME CRITERIA THAT WE ESTABLISHED IN 2000, 2001, THEN, YOU KNOW, I HAVE FURTHER QUESTIONS AS TO WHY THAT WAS CONDUCTED THAT WAY. BUT JUST FOR THE SAME OF LETTING THE PUBLIC TESTIMONY MOVE ON, I'LL JUST HOLD ANY COMMENTS OR QUESTIONS TILL LATER.

MAYOR WYNN: FAIR ENOUGH. FURTHER COMMENTS, QUESTIONS OF STAFF BEFORE WE HEAR FROM THE PUBLIC? AND ANY PREFERENCE ON WHICH SIDE GOES FIRST? FIRST ONE SIGNED UP WERE SHOWN AS, I GUESS, SUPPORTING THE ITEM, WHICH GENERALLY WOULD ENABLE US TO DIRECT THE CITY MANAGER TO START THE PROCESS TO MOVE THE FACILITY. SO GO FIRST WITH THE FOLKS WHO ARE IN FAVOR OF THE HEALTH DEPARTMENT CAMPUS SITE. THEN WE'LL HEAR 30 MINUTES FROM FOLKS WHO ARE IN FAVOR OF KEEPING IT AT ITS CURRENT LOCATION, AND THEN WE'LL CONTINUE THE DEBATE AND DIALOG. AND MY STAFF WAS KIND ENOUGH TO TALK WITH FOLKS OUT IN THE AUDIENCE, AND THE FOLKS IN SUPPORT OF THE HEALTH DEPARTMENT CAMPUS LOCATION HAVE AGREED TO A PARTICULAR ORDER, AND SO IF THOSE FOLKS ARE READY, OUR FIRST SPEAKER WILL BE KAREN MECAS, WHO IS WITH THE ASPCA, I BELIEVE. TO BE FOLLOWED BY FRANCIS. [APPLAUSE] AND SO WHAT WE'LL DO IS SET THE CLOCK FOR 30 MINUTES, SO KAREN METICU SOUTH CAROLINA S, FRANCIS JONAN WITH THE HUMANE SOCIETY, AND DEL WIN GOSS, BETH KRUEGER AND SANDY RICE. I MIGHT TRY TO GIVE YOU A HEADS-UP AS

TO YOUR TIME. CONTINUE ON. WELCOME, KAREN.

I THINK I CAN HANDLE THE TECHNOLOGY. I'M WITH THE AFPCA, THE AMERICAN SOCIETY OF PREVENTION TO CRUELTY TO ANIMALS. I'M THE TEAM LEADER FOR AUSTIN WHICH IS ONE OF FIVE COMMUNITIES WE SELECTED NATIONWIDE TO WORK WITH TO CREATE THE HUMANE COMMUNITY, WORKING TOGETHER. OUR PARTNERS AS YOU CAN SEE HERE, THE AUSTIN HUMANE SOCIETY, ANIMAL TRUSTEES OF AUSTIN, EMACIPET AND YOUR OWN TOWN LAKE ANIMAL CENTER. WE REPRESENT 141 YEARS OF DIRECT ANIMAL CARE SERVICE. AUSTIN HUMANE SOCIETY FOUNDED IN 52, ANIMAL TRUSTEES OF AUSTIN WAS FOUNDED IN 1993. EMACIPET IN 1999 AND AND OUR ORGANIZATION, ASPCA IN 1866. THE LEADERSHIP OF OUR PARTNER ORGANIZATION REPRESENTS 90 -- 79 YEARS OF DIRECT ANIMAL CARE EXPERIENCE. WITH FRANCIS JOANEN AS THE DIRECT OF AUSTIN HUMANE, MISSY MCCULLOUGH WITH TPA, TOWN LAKE ANIMAL CENTER AND MYSELF. TOGETHER IN ONE YEAR THIS IS WHAT WE'VE DONE. WE'VE PROVIDED LOW COST AND FREE SPAY NEUTER FOR 28,934 ANIMALS. WE'VE PROVIDED LOW COST OR FREE HEART WORM TREATMENTS FOR 349 ANIMALS, PROVIDED 470 LOW COST OR FREE LIFESAVING SURGERIES, PROVIDED LOW COST WELLNESS CARE FOR 18,397 ANIMALS, TRANSFERRED AND ADOPTED 9,194 ANIMALS INTO NEW HOMES, RETURNED 3,234 ANIMALS TO THEIR OWNERS AND WE'VE PROVIDED HUNDREDS OF HUMANE EDUCATION PROGRAMS FOR SCHOOL AND COMMUNITY GROUPS. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS.] IT

Mayor Wynn: FRANCIS JONAN.

GOOD EVENING, MAYOR, COUNCIL. I'M THE EXECUTIVE DIRECTOR WITH THE AUSTIN HUMANE SOCIETY. I'VE BEEN SERVING ANIMALS IN AUSTIN FOR 12 YEARS. HE I CARE DEEPLY ABOUT TWHOOPZ THE HOMELESS ANIMALS IN OUR COMMUNITY AND I DON'T WANT TO TAKE UP EVEN ALL OF MY TIME, BUT INCIDENTED TO SPEAK TO YOU TODAY TO REITERATE THE AUSTIN HUMAN'S SOCIETY'S SUPPORT IN FAVOR OF RELOCATING THE SHELTER TO THE LEVANDER LOOP SITE. I JUST WANTED TO SPEAK TO YOU TODAY AND MAKE SURE THAT YOU KNEW THAT THE AUSTIN HUMANE

SOCIETY IS IN FAVOR THAT HAVE MOVE AND WE HOPE THAT YOU WILL MAKE THE BEST DECISION FOR THE ANIMALS AND VOTE TO RELOCATE. [APPLAUSE]

Mayor Wynn: OUR NEXT SPEAKER IS MISSY MCCOLLOUGH. YOU WILL BE FOLLOWED BY DYLAN GOSS.

IT'S A PLEASURE TO BE HERE WITH YOU TONIGHT. I'M WITH THE ANIMAL TRUSTEES OF AUSTIN. WE DO LOW COST SPAYING AND NEUTERING. I HAVE BEEN IN EXISTENCE SINCE '93. WE ALSO ARE IN FAVOR OF MOVING THE SHELTER AND I WOULD LIKE TO SPEAK TO YOUR 'POINT, MAYOR WYNN, ABOUT MY CONCERN AND I THINK A LOT OF OUR CONCERNS ABOUT A TEMPORARY SHELTER FOR THE ANIMALS. THAT'S PROBABLY MY GREATEST CONCERN HERE. I'M CERTAINLY IN FAVOR OF MOVING TO THE NEW SITE BECAUSE I THINK WE HAVE AN OPPORTUNITY TO BUILD A GREAT MODEL PROGRAM FOR THE ANIMALS AND SPACE TO GROW. BUT I AM VSH CONCERNED IF WE KEPT THE SHELTER WHERE IT IS WHAT WOULD HAPPEN TO THE ANIMALS IN THE TIME SPAN AND HOW WE COULD HAVE SPACE FOR A SHELTER THAT COULD HOLD BETWEEN 500 AND 700 ANIMALS. I APPRECIATE YOUR CONCERN ABOUT THAT. THAT'S CERTAINLY MY BIGGEST CONCERN IF WE KEEP IT THERE AS FAR AS I'M CONCERNED A LOT OF ANIMALS WOULD LOSE THEIR LIVES BECAUSE WE JUST WON'T HAVE THE SPACE. SO I HOPE THAT -- THAT'S MY BIG CONCERN. MY OTHER CONCERN IS THE NOISE AT THE CURRENT SHELTER BECAUSE THE FIREWORKS AND THE CONCERTS IN THE PARK, THOSE ARE BOTH VERY FRIGHTENING TO THE ANIMALS AS WELL AS THE TRAIN THAT RUNS ALONG THE BACK PART OF THE SHELTER. SO I DON'T HAVE MUCH MORE TO SAY. I THINK WE'VE ALL SAID A LOT OVER THE LAST MONTH AND I HOPE THAT WE CAN MOVE FORWARD AND EVERYBODY IN THIS ROOM LOVES ANIMALS, SO I HOPE WE CAN MOVE FORWARD AND STOP THE BICKERING BACK AND FORTH ABOUT WHERE THE ANIMAL SHELTER IS. I THINK THAT'S NOT NEARLY SO IMPORTANT AS WE TAKE CARE OF THE ANIMALS IN AUSTIN THAT WE'RE IN CHARGE OF THEIR LIVES AND I THINK WE MAKE THE GOOD DISCUSSIONS EVERYDAY ABOUT HOW TO TAKE CARE OF THEM. [APPLAUSE]

Mayor Wynn: ELLEN GOSS. YOU WILL BE FOLLOWED BY

(INDISCERNIBLE). STILL 22 MUNTS..... 22 MINUTES LEFT.

THANK YOU. YOU'VE ALL READ MY E-MAILS, YOU KNOW WHERE I STAND ON THIS. I'M AN EAST AUSTIN RESIDENT. I DON'T KNOW WHY YOU ALL LAUGH WHEN BURT SAID IT TOOK LESS THAN 15 MINUTES TO GET HERE. I LIVE OUT BY THE PROPOSED LOCATION. IT TOOK ME 13 MINUTES TO GET HERE TONIGHT AND THAT WAS IN 5:00 TRAFFIC, SO I DON'T KNOW WHAT THE JOKE WAS ON THAT. 'I'M AT HABITAT FOR HUMANITY FIVE DAYS A WEEK. I HAVEN'T SEEN A LOT OF Y'ALL'S FACES THERE. I'M OUT THERE SWEATING AND BLEEDING FOR AFFORDABLE HOUSING. I'D LIKE TO SEE YOU GUYS OUT THERE TOMORROW MORNING AT 8:00. VOLUNTEER AT HABITAT -- AT EMAN IS A PET EVERY FRIDAY AND SATURDAY. MY DAY STARTS AT 5:00 TOMORROW MORNING. IT'S A GREAT LOCATION. IT'S QUIET, PEACEFUL. THIS IS ABOUT THE ANIMALS. THIS ISN'T ABOUT US. 'I WOULD HATE TO BE A PET WITH ALL THE NOISE IN THE AREA, WITH THE FLOODS COMING INTO MY CAGE. I'M REALLY AFRAID WE'RE GOING TO PISS AWAY A REALLY GOOD OPPORTUNITY TO BUILD A WONDERFUL SHELTER HERE. WE'VE ALREADY SEEN THE NUMBERS FROM THIS. LET ME KNOW WHEN MY TIME IS UP BECAUSE I CAN GO ON FOR HOURS ABOUT THIS. LIKE I SAID, I THOUGHT THIS WAS ABOUT THE ANIMALS. I DIDN'T KNOW IT WAS ABOUT US AND OUR CONVENIENCE AND WHAT PART OF TOWN WE THOUGHT WAS PRETTY AND WHAT PART OF TOWN WE THOUGHT WASN'T PRETTY. THAT IS A BEAUTIFUL SITE AT LEVANDER LOOP. I HOPE YOU WILL DO THE RIGHT THING, I HOPE YOU WILL VOTE FOR THE ANIMALS BECAUSE I THOUGHT THAT'S WHAT THIS IS ALL ABOUT. I'M SURPRISED TO LEARN IT'S MORE ABOUT WHAT'S CONVENIENT FOR SOME PEOPLE AND WHAT'S NOT CONVENIENT FOR OTHER PENAL AND WHAT PART OF TOWN SOME PEOPLE THINK IS INTERPRET AAND WHAT SOME PEOPLE DON'T. I'M REALLY CONFUSED OVER THIS. [APPLAUSE]

Mayor Wynn: BETH KRUEGER. STILL 20 MINUTES LEFT. YOU WILL BE FOLLOWED BY SANDY RICE WHO WILL BE FOLLOWED BY MARISSA KILGORE.

GOOD EVENING. THANK YOU VERY FOCH TAKING THE TIME TO LISTEN TO ALL OF OUR VOICES. I ARRIVED IN AUSTIN,

TEXAS IN JANUARY OF 1993. AND IT WAS THE ANIMALS THAT BROUGHT ME HERE. I CAME HERE TO WORK WITH THE CITY AND THE HUMANE SOCIETY IN SFRATION OF THE HUMANE SOCIETY AND THE CITY OPERATIONS TO BRING MORE OPTIONS FOR ANIMALS IN OUR COMMUNITY. BACK IN THOSE DAYS WE TALKED A LOT ABOUT WHAT WOULD HAPPEN IF WE MOVED OUR SHELTER, THE HUMANE SOCIETY SHELTER ALL THE WAY UP TO ANDERSON LANE AND 183. THERE WERE LOTS OF CONCERNS ABOUT THAT MOVE AND WHAT THAT WOULD MEAN FOR THE ANIMALS THAT WE ADOPTED THROUGH THE HUMANE SOCIETY'S PROGRAM. TODAY THE HUMANE SOCIETY IS THRIVING AT 183. THEY'RE OPEN SIX DAYS A WEEK AND THEY CONTINUE TO ADOPT MORE ANIMALS EVERY YEAR. AND WHEN THIS BOND PACKAGE CAME TO VOTE, MY HUSBAND AND I STOOD IN LINE THAT MORNING AND WERE THERE TO CAST OUR BALLOT FOR IT. BECAUSE WE BELIEVED THAT IT WAS TIME THAT WE CAME TOGETHER AND REALLY PUT OUR RESOURCES BEHIND THE ANIMALS IN THIS COMMUNITY. WE'RE A LOVING COMMUNITY. WE TAKE OUR ANIMALS EVERYWHERE WE GO. IT'S ONE OF THE THINGS I BRAG MOST ABOUT THIS CITY IS OUR COMPASSION FOR THE FOUR-LEGGED ONES THAT WE CARE FOR. I AM SO THRILLED TO SEE THESE GROUPS GATHERED TOGETHER, JOINING FORCES WHEN MANY THRIEMZ THEIR HISTORY THEY'VE BEEN BACK AND FORTH WITH EACH OTHER. BUT THEY'RE UNITED AND ONLY UNITED CAN THIS CITY GROW A TRUE, COMPASSIONATE CITY FOR OUR ANIMAL FRIENDS. AND IT'S BECAUSE OF OUR GUIDANCE AND WILLINGNESS TO INVEST IN THIS. AND THEIR GUIDENESS AND WILLING TO SHARE IN THE RESPONSIBILITY AND THEIR PASSION THAT I THINK WE REALLY NEED TO MOVE THIS PROJECT FORWARD. IT IS GOING TO BE THE FIRST OF MANY GREAT SUCCESSES TO COME ON BEHALF OF THIS COMMUNITY. I URGE YOU TO CONSIDER WHAT YOU'RE THINKING ABOUT IF MOVING THE CENTER. THERE ARE MANY ORGANIZATIONS BEHIND THIS AND THEY KNOW WHAT THEY'RE TALKING ABOUT. THE FACT IS THAT TOWN LAKE CENTER HASN'T BEEN IN GOOD SHAPE SINCE 1993 AND THERE'S NO WAY YOU'RE GOING TO BE ABLE TO DO THIS OFF SITE. I KNOW. I HELPED MOVE THE HUMANE SOCIETY SHELTER AND KNOW WHAT IT'S LIKE TO RETROFIT A

BUILDING. HAVE A GOOD EVENING. [APPLAUSE]

Mayor Wynn: SANDY RICE, TO BE FOLLOWED BY MARISSA KILGORE.

THANK YOU SO MUCH FOR YOUR TIME. I'M HERE ON FIRST AS A PRIVATE CITIZEN. I LIVE IN EAST AUSTIN. AND I'VE HEARD THAT FOLKS WON'T CROSS THE INTERSTATE TO ADOPT A PET FOR THEIR FAMILY. I THINK THAT'S RIDICULOUS AND I ALSO FIND THAT OFFENSIVE. I'M ALSO HERE AS A BOARD MEMBER FOR ANIMAL TRUSTEES OF AUSTIN. AND I'M A VOLUNTEER WITH ATA BECAUSE I AM AND ATA IS PASSIONATELY CONCERNED ABOUT THE WELFARE OF ALL OF AUSTIN'S ANIMALS, HOMELESS AS WELL AS THOSE WITH A HOME, ESPECIALLY THOSE IN EAST AUSTIN. THE OPPORTUNITY THAT THIS WONDERFUL LAND WILL GIVE THE CITY TO PROVIDE EXPANDED SERVICES IS FABULOUS. AND THOSE SERVICES NEED TO BE IN EAST AUSTIN. IN EAST AUSTIN WE HAVE FAR TOO FEW SERVICES AND PARKS THERE. SO TO HAVE PARKLAND ARKS DOG PARK AND TO HAVE OTHER FACILITIES THERE WOULD BE ABSOLUTELY WONDERFUL. AND FINALLY I'M HERE AS THE PROUD MOMMY AND TRAINER OF TWO ROTTWEILERS AND A PIT BULL, VERY DIFFICULT AND CHALLENGING AN MALGZ. I SPENT THOUSANDS OF HOURS TRAINING THOSE DOGS, SO THEY'RE RESPONSIBLE CITIZENS. AND TO HAVE A TRAWBLING FACILITY THERE, WHICH AGAIN THIS LAND AFFORDS US THIS OPPORTUNITY TO DO THAT, IS REALLY NEEDED IN EAST AUSTIN. MY COLLEAGUES URGE TO YOU DO THE RIGHT THING AND MOVE THE SHELTER TO THIS FABULOUS LOCATION. THANK YOU FOR YOUR TIME. [APPLAUSE]

Mayor Wynn: MARISSA, WELCOME. WE'RE STILL 16 MINUTES LEFT, PLENTY OF TIME.

THAIBL THE SHELTER SHOULD BE MOVED TO THE EXPANSIVE PIECE OF LAND ON LEVANDER LOOP. I WORK FOR EMANCIPET WHO SUPPORT THE MOVE AND CURRENTLY WORKS ON THE GROUNDS OF THE SITE. IT'S A BEAUTIFUL PIECE OF LAND AND IT'S QUIET DESPITE BEING AT THE HUB OF SEVERAL ROADS. I ALSO LIVE LESS THAN TWO MILES NORTH OF THE SITE AND I DO NOT FEEL AFRAID OF MY NEIGHBORHOOD. I THINK IT'S A GOOD PLACE. PEOPLE ARE

COMFORTABLE WALKING THEIR DOGS IN THE MIDDLE OF THE MORNING, SIX A.M. AND I ALSO GO TO SCHOOL TWO MILES SOUTH OF THE SITE. I GOAT MY CAR IN THE DARK AND I'M ALSO NEVER AFRAID FOR MY SAFETY. BESIDES THE FACT THAT THIS LOCATION IS A BETTER PLACE FOR AUSTIN'S HOMELESS ANIMALS ALL THE WAY AROUND, MY NEIGHBORHOOD DESPERATELY NEED THZ DEVELOPMENT. AS IT IS, IT TAKES A LONG TIME, 15, 20 MINUTES TO GOAT THE CLOSEST DOG PARK. WE NEED THE RESOURCES IN OUR AREA. SO PLEASE DO THE RIGHT THING FOR AUSTIN'S HOMELESS ANIMALS AND SUPPORT THE NEW LEVANDER LOOP LOCATION. [APPLAUSE]

Mayor Wynn: SOME OF THE STRUCTURED SIX OR SEVEN SPEAKERS THAT WE HAD ONLY TOOK 15 MINUTES, SO THERE'S STILL 15 ADDITIONAL MINUTES FOR FOLKS WHO WOULD LIKE TO GIVE US TESTIMONY IN FAVOR OF THE HEALTH DEPARTMENT CAMPUS LOCATION. YOU ALL COULD INDIVIDUALLY STEP FORWARD AND I COULD GO THROUGH AND START CALLING NAMES SEQUENTIALLY IS HOW FOLKS SIGNED UP, BUT WHY DON'T YOU JUST COME FORWARD AND I'LL RECOGNIZE THAT IN TWO OR THREE MINUTES YOU CAN MAKE SEVERAL KEY POINTS AND PASS THE TIME ON TO YOUR FRIEND. WELCOME.

GOOD EVENING.

Mayor Wynn: STATE YOUR NAME FOR THE RECORD.

MY NAME IS (INDISCERNIBLE) AND I SIGNED UP ALREADY. I HAVE BEEN IN AUSTIN FOR 33 YEARS. I HAVE LIVED IN EAST AUSTIN FOR ALMOST 30 YEARS. I WORK IN EAST AUSTIN. I AM VERY PROUD OF EAST AUSTIN. I AM VERY PROUD TO SUPPORT RELOCATING THE SHELTER TO EAST AUSTIN. COUNCILMEMBER MARTINEZ A FEW MINUTES AGO DURING THE BREAK GAVE A WONDERFUL CERTIFICATION TO A GENTLEMAN FOR TAKING CARE OF HOMELESS PEOPLE. I WANT TO SUPPORT HOMELESS ANIMALS. AND SUPPORT THEM IN THE BEST WAY. AND I BELIEVE THE BEST WAY TO SUPPORT THEM TODAY, RIGHT NOW, IS TO RELOCATE THE SHELTER. THANK YOU, SIR. [APPLAUSE]

GOOD EVENING. MY NAME IS SARAH AND I'M IN SUPPORT OF

MOVING THE SHELTER BECAUSE I BELIEVE THAT MOVING THE SHELTER WILL PROVIDE THE BEST FACILITIES AND THE BEST AND MOST COMFORTABLE ENVIRONMENT TO ANIMALS, AND THEN WE SHOULD DO EVERYTHING WE CAN TO PROVIDE THAT FOR THEM BECAUSE THESE ANIMALS ARE UNDER ENOUGH STRESS AS IT IS BEING HOMELESS AND JUST WAITING TO BE ADOPTED AND TO FIND A HOME. AND I THINK THAT ANYTHING WE CAN DO TO PROVIDE THEM WITH THE BEST ENVIRONMENT POSSIBLE, WE SHOULD DO. AND I DON'T THINK LOCATION MATTERS. IF SOMEONE REALLY WANTS AN AN BE MALL AND WANTS AN ANIMAL TO BE PART OF THEIR FAMILY, THEY'LL DRIVE ANYWHERE, AS FAR AS IT TAKES TO FIND A PERFECT PET. OVER THE SUMMER I DROVE 90 MILES FROM MY HOMETOWN OF CUERO TO GET A KITTEN BECAUSE I REALLY WANTED A KITTEN THAT BAD AND I VOLUNTEER WITH THE HUMANE SOCIETY AND I KNEW THAT I WOULD FIND THE PERFECT KITTEN THERE. SO I DROVE THAT FAR. IT'S ABOUT TWO HOURS, BUT TO ME IT'S NO PROBLEM BECAUSE I THINK THAT ANIMALS ARE A PART OF OUR FAMILY AND IN ORDER TO FIND THE PERFECT PET, LOCATION DOESN'T MATTER. THANK YOU. [APPLAUSE]

Mayor Wynn: THERE'S STILL TIME REMAINING ON THE CLOCK IF FOLKS WOULD LIKE TO GIVE TESTIMONY. THERE'S ABOUT 48... 48 FOLKS WHO SIGNED UP, BUT AS OFTEN IS THE CASE, FOLKS SIGN UP NOT WISHING TO SPEAK IN FAVOR AND WE CERTAINLY WILL SHOW THOSE FOR THE RECORD.

[INAUDIBLE - NO MIC].

Mayor Wynn: WELL, NO. WE'RE ABOUT TO GO OVER TO THE OTHER PERSPECTIVE. SO IF THERE'S NOBODY ELSE WHO WOULD LIKE TO SPEAK IN FAVOR OF THE HEALTH DEPARTMENT SITE, THEN WE WILL RESET THE CLOCK FOR 30 MINUTES.

[INAUDIBLE - NO MIC].

I SAID I WANTED TO SPEAK IN FAVOR.

Mayor Wynn: I'M SORRY. PLEASE STEP FORWARD. I APOLOGIZE. STATE YOUR NAME FOR THE RECORD.

MY NAME IS JIM (INDISCERNIBLE). I'M AN ENGINEER. I KNOW WHAT A PROBLEM IT IS TRYING TO RECONSTRUCT A FACILITY. I DID IT FOR 20 YEARS. I THINK IT'S REALLY EMOTIONAL, I WAS STRONGLY AGAINST MOVING THE SHELTER, BUT I THINK IT'S AN EMOTIONAL AFFAIR AND AS MUCH A LEVEL AS YOU'VE GOT TO GO, MY MAIN CONCERN IS THAT THE DEVELOPERS ARE DROOLING OVER THAT PROPERTY TO PUT CONDOS IN THERE. AS LONG AS THAT STAYS PARKLAND, AND IT'S GOT TO BE A SINCERE PROMISE FROM THE CITY THAT THAT STAYS PARKLAND, THEN I DON'T HAVE A PROBLEM -- I DON'T HAVE A PROBLEM WITH MOVING IT FROM THE FINANCIAL AND FROM THE REALITIES OF A FACILITY. THE OTHER STRONG REASON FOR KEEPING IT WHERE IT WAS IS THAT WAS A CONVENIENT THING WHERE PEOPLE COULD STOP IN AND STAY, WELL, LOOK AT THE CUTE PET, LET'S GET ONE. LOCATION, LOCATION, LOCATION IS GREAT FOR WHERE IT'S AT NOW BECAUSE THE OPPORTUNITY TO ADOPT. THE COUNCILMEMBERS MADE COMPELLING ARGUMENTS. I THINK ALL IN ALL IT'S BETTER FOR THE COMMUNITY AND FOR THE PETS AND I LOVE PETS AND (INDISCERNIBLE). I DON'T GET MAWD..... MAUDLIN OVER THEM. IT'S JUST THE REALITIES OF IT. [APPLAUSE]

Mayor Wynn: FAIR ENOUGH. THANK YOU. AND AGAIN, JUST TO REITERATE, THERE'S NO PROMISE MORE FIRM THAN OUR CITY CHARTER. THIS CITY COUNCIL AND NO FUTURE CITY COUNCIL CAN CHANGE THAT USE FROM PARKLAND.

THAT'S NOT TRUE.

Mayor Wynn: THAT IS TRUE. THAT IS DEDICATED PARKLAND. ONLY A VOTE OF THE CITIZENS OF AUSTIN WOULD ALLOW THAT DEDICATED PARKLAND TO BE USED FOR ANOTHER USE. PERIOD. [APPLAUSE] SO WE'LL SET THE CLOCK FOR 30 MINUTES AND I APOLOGIZE. I WASN'T GIVING --

[INAUDIBLE - NO MIC].

Mayor Wynn: THERE WAS NINE MINUTES LEFT ON THE CLOCK. IF YOU WOULD LIKE TO GIVE TESTIMONY IN FAVOR OF THE HEALTH DEPARTMENT CAMPUS... PLEASE STATE YOUR NAME FOR THE RECORD.

THANK YOU. IT'S LISA STARR AND I JUST WANTED TO THANK YOU ALL FOR THE LAST MINUTE OPPORTUNITY. AND THE REASON WHY I WANTED TO COME FORWARD IS BECAUSE FOLKS WERE START TO GO TALK ABOUT CONDOMINIUMS. AND IN MY OPINION IF FOLKS ARE WORRIED ABOUT CONDOMINIUMS, THEY'RE NOT WORRIED ABOUT THE ANIMALS. AND THIS IS ABOUT THE ANIMALS AND IT'S NOT ABOUT CONDOMINIUMS. THAT'S IT. THANK YOU. [APPLAUSE]

Mayor Wynn: SO NOW WE'LL SET THE CLOCK FOR 30 MINUTES. AND SO YOU ALL ARE WELCOME TO EITHER STAND IN LINE. OR IF THAT TIME'S NOT ALL UTILIZED, I'LL GO THROUGH AND START CALLING OUT IN THE SEQUENCE THAT FOLKS SIGNED UP EARLIER.

WE'RE JUST GOING TO GO IN ORDER. MY NAME IS RYAN (INDISCERNIBLE) AND I AM HERE TODAY BECAUSE OF THE UNBENDING FAITH IN THE PEOPLE HERE, THE PEOPLE OF AUSTIN THAT WHEN FACED WITH A DECISION BETWEEN INDIFFERENCE AND BUREAUCRACY AND COMPASSION THAT YOU THE CITY COUNCIL WILL CHOOSE COMPASSION. AND THE COMPASSIONATE DECISION IN THIS ISSUE IS TO REBUILD THE SHELTER ON TOWN LAKE AND PROVIDE AFFORDABLE HOUSING FOR THE PEOPLE OF EAST AUSTIN AT THE HHS SITE. [APPLAUSE] NOW, YOU HEARD ABOUT 15 OR 18 MINUTES TODAY FROM THE MISSION ORANGE PARTNERS, AND AS I UNDERSTAND THIS WEEK MOST OF YOU HAVE MET WITH THEM. AND THAT YOU ARE UNDERSTANDABLY CONFUSED THAT THEY ARE IN SUPPORT OF MOVING THE SHELTER AND WHY -- HOW COULD THEY POSSIBLY BE WRONG IF THEY'RE IN SUPPORT OF MOVING THE SHELTER, THEN IT MUST BE RIGHT. I THINK IT'S IMPORTANT TO NOTE TODAY THAT THEY DIDN'T REALLY YOU GIVE YOU ANY REASONS TO SUPPORT THE MOVE, THEY JUST SAID THEY ARE MISSION ORIENTED. SO I THINK IT WOULD BE PRUDENT AND THAT ALL OF YOU WOULD BELIEVE IT WOULD BE PRUDENT TO LOOK BEHIND THE CURTAIN A LITTLE BIT AND FIND OUT WHAT THE REASONS ARE AND IF ANY OF THOSE ARE ACTUALLY TRUE. WHAT WE DISCOVERED IN THE LAST FEW DAYS REALLY OF LOOKING AT THIS ISSUE IS THAT THERE'S A LOT OF THINGS WE HAVE IN COMMON WITH THE MISSION ORANGE TEAM. WE TOO ARE DEDICATED TO ANIMALS. WE ARE ABSOLUTELY DEDICATED TO SAVING

THE LIVES OF ANIMALS AND THEY ARE TOO. AND WE VOLLEYBALL THAT IN COMMON. -- WE ALL HAVE THAT IN COMMON. AND I APPRECIATE THEM BEING HERE TODAY FOR FIGHTING WHAT THEY BELIEVE IN. THAT'S A WONDERFUL THING. WE ARE ALL ON THE SAME TEAM. BUT THE DIFFERENCE BETWEEN FIX AUSTIN.ORG AND OUR THOUSANDS OF SUPPORTERS, MANY OF WHOM ARE HERE TODAY, BE AND THE MISSION ORANGE TEAM, IS THAT WHEN IT COMES TO LISTENING TO THE CITY STAFF, WE DON'T BELIEVE WHAT COMES OUT OF THEIR MOUTH IS TRUE. AND BE THE MISSION ORANGE TEAM, BECAUSE THEY INHERENTLY SUPPORT CITY STAFF, BELIEVES WHAT COMES OUT OF THE CITY STAFF'S MOUTH IS TRUE. THAT'S THE DIFFERENCE. I WANT TO TALK ABOUT A FEW THINGS. FIRST, THE PRIMARY REASON THAT CITY STAFF SAID THAT THE SHELTER NEEDED TO BE MOVED, AND YOU HEARD IT ECHOED HERE TODAY A FEW TIMES, WAS THAT MOST OF THE ANIMALS ARE OVER THERE AND COMING FROM EAST AUSTIN SO WE NEED TO MOVE IT OVER THERE. MOST OF THE COMPLAINTS ARE FROM OVER THERE AND MOST OF THE SERVICES NEED TO BE PUT THROAFER BECAUSE THAT'S WHERE THE ANIMALS ARE COMING FROM. WELL, WE DIDN'T TAKE THE CITY STAFF'S WORD FOR THAT. WE HIRED A GEOGRAPHIC INFORMATION ANALYST WITH A Ph.D TO LOOK AT THE FIGURES, TAKE THE RAW DATA AND PUT THEM ON A MAP. AND WHAT WE DISCOVERED WAS THAT WHAT THE STAFF WAS SAYING WAS NOT TRUE. ANLT ONLY 36 PERCENT -- ONLY 31st% OF THE ANIMALS THAT ARRIVE AT TLAC COME FROM ALL TRAVIS COUNTY ZIP CODES EAST OF I-35 COMBINED. SO TWO THIRDS OF THE ANIMALS COME FROM THE OTHER SIDE. AND IF THAT IS THE FUNDAMENTAL REASON THAT WE NEED TO MOVE THE SHELTER TO ADDRESS THESE NEEDS IN EAST AUSTIN WHERE ALL OF THESE ANIMALS ARE COMING FROM, IT SIMPLY ISN'T TRUE. SECOND, FLOODPLAIN. YOU HEARD IT FROM CITY STAFF. YOU'VE SEEN ALL THESE HORRIBLE PICTURES THAT THEY'VE PUT OUT. YOU'VE HEARD IT MULTIPLE TIMES. WE CAN'T REBUILD THERE BECAUSE IT'S A FLOODPLAIN. AND THE MISSION ORANGE TEAM TOOK THAT FOR A FACT. THEY PLASTERED IT ON ORANGE SIGNS ALL OVER TOWN. IT'S IN THE FLOODPLAIN, WE CAN'T BUILD THERE. THAT'S UNDERSTANDABLE. THEY BELIEVED THE CITY STAFF WHEN

THEY TOLD THEM THAT. BUT WHAT WE DID IS BECAUSE WE DON'T INHERENTLY BELIEVE THE CITY STAFF WHEN THEY TALK TO US IS WE HIRED ONE OF AUSTIN'S GREATEST EXPERTS IN LAND PLANNING, RON DREWER. I'M SURE YOU'VE HEARD OF HIM. AND HE TOOK A LOOK AT ALL THE INFORMATION, TOOK A LOOK AT THE MAPS, TOOK A LOOK AT THE DATA AND WHAT HE CONCLUDED IS THAT TOWN LAKE IS AN IMMINENTLY BUILDABLE SITE. THAT'S ALSO WHAT YOUR CITY STAFF CONCLUDED IN PUBLIC RECORDS. THE PARKING LOT IS IN THE 100 YEAR FLOODPLAIN. THE REST IS IN THE 500 YEAR, JUST AS THIS ROOM THAT WE'RE STANDING IN, JUST AS AUSTIN HIGH SCHOOL WHERE YOU LET OUR CHILDREN GO TO SCHOOL. AND WHAT RON'S ULTIMATE CONCLUSION WAS IS THAT CURING THE FLOODPLAIN PROBLEM IS JUST A MATTER OF PICKING UP DIRT FROM ONE PLACE ON THE LOT AND PUTTING IT ON OTHER PLACES AND THAT COULD BE EASILY REMEDIED IN A REBUILT TOWN LAKE ANIMAL SHELTER. SO THE UNDERLYING PREMISE THAT MISSION ORANGE IS PLASTERING ALL OVER TOWN THAT IT CAN'T BE REBUILT THERE BECAUSE OF THE FLOODPLAIN IS SIMPLY NOT TRUE. IT'S FALSE. AND THE CITY NEEDS TO STOP SAYING THAT. AND WITH ALL DUE RESPECT, THE COUNCIL IN THIS RESOLUTION NEEDS TO STOP SAYING THAT. IT DOESN'T FLOOD ALL THE TIME. IT'S IN THIS RESOLUTION THAT IT FLOODS CONSISTENTLY. DID IT FLOOD IN THE WETTEST JULY IN THE HISTORY OF AUSTIN? NO. IN FACT, IN PUBLIC RECORDS THAT WE REQUESTED, THERE ARE TWO RECORDED FLOODING EVENTS IN THE HISTORY OF TOWN LAKE ANIMAL CENTER. NOW, I DON'T DOUBT THAT THERE WERE MORE THAN THAT, BUT THERE ARE TWO RECORDED EVENTS. SO THE UNDERLYING JUSTIFICATIONS FOR THESE WONDERFUL PEOPLE ON THE OTHER SIDE JUST AREN'T TRUE. THIRD, STAFF TELLS US PEOPLE WILL JUST GO ANYWHERE TO GET IT AN ANIMAL. THEY'LL DRIVE TO WACO AND BACK, SAN ANTONIO AND BACK, BE WHEREVER IT IS TO GET AN ANIMAL. WHAT WE NOTICED WHEN WE TOOK A LOOK AT IT IS THAT NONE OF THE MISSION ORANGE MEMBERS HAD EVER WORKED IN A CITY THAT HAD BECOME NO KILL. AND NOBODY ON CITY STAFF HAD EVER WORKED IN A CITY THAT BECAME NO KILL. SO THEY DON'T HAVE ANY EXPERIENCE WITH BECOMING A NO KILL CITY. THEY JUST SIMPLY DON'T HAVE THE EXPERIENCE. SO WHAT WE DID IS WE WENT AND

HIRED THE AMERICA'S NO KILL EXPERT AND WE ASKED HIM BECAUSE HE'S THE ONLY ONE WHO HAS BOTH CREATED A NO KILL CITY AND REPLICATED IT IN NUMEROUS OTHER NO KILL CITIES. AND WEIGH MEAN FWHAH IS ANIMALS WHO CAME INTO THE SHELTER A BETTER CHANCE OF SURVIVING THAN DYING IN A SHELTER. IN EACH OF THE CITIES HE'S WORKED WITH, SAVE ONE, THERE'S A 90% CHANCE THAT ANIMALS LIVE WHEN THEY COME OUT OF THE SHELTER INSTEAD OF IN MOST HALF THE POSSIBILITY OF ANIMALS DYING WHEN THEY LEAVE AS WE ARE IN AUSTIN. WHAT HE CONCLUDED IS THAT MOVING AUSTIN'S ANIMAL SHELTER WILL BE A DEATH SENTENCE FOR HOMELESS PETS IN AUSTIN BECAUSE WHEN YOU TAKE THE ANIMALS AWAY FROM A HIGH VISIBILITY LOCATION, WHEN YOU TAKE THEM AWAY FROM LOCATION, LOCATION AND LOCATION, WHICH ARE THE KEYS TO A RETAIL BUSINESS, AND THIS IS A RETAIL BUSINESS, THEN FEWER PEOPLE WILL BE THERE. IT'S A MATTER OF SUPPLY AND DEMAND AND IT'S BEEN PROVEN BY THOUSANDS OF YEARS OF HISTORY. [APPLAUSE] PHILADELPHIA WAS SPECIFICALLY POINTED TO AS AN EXAMPLE. PHILADELPHIA ADOPTED HIS NO KILL METHOD VERY RECENTLY. THEY WENT FROM AROUND 90 PERCENT KILL RATE TO A 50% RATE. BUT WHAT HE SAID THE CITY OF PHILADELPHIA BELIEVED -- AND OF COURSE THE CITY OF PHILADELPHIA BLOGGED ABOUT THIS ISSUE IN AUSTIN BECAUSE SHE WAS SO SHOCKED THAT WE WOULD CONSIDER MOVING THE SHELTER BECAUSE THEIR NUMBER ONE BOND INITIATIVE FOR NEXT YEAR IN PHILADELPHIA IS TO DO THE OPPOSITE. IT'S TO BRING THE SHELTER BACK IN TO WHERE THE PEOPLE ARE BECAUSE THEY KNOW THAT VISIBILITY IS ABSOLUTELY CRITICAL TO ADOPTION. MR. MAYOR YOU TALKED ABOUT A COUPLE OF THINGS AND I WANT TO ADDRESS THOSE, BUT I WANT TO SAY AND I'M GOING TO SAY THIS WITH ALL DUE RESPECT, YOU DIDN'T MEET WITH US. WE BEGGED YOU TO MEET WITH US. YOUR COLLEAGUES MET WITH US. AND YOU WOULDN'T EVEN ANSWER OUR PHONE CALLS. AND BECAUSE OF THAT YOU DON'T KNOW THE ANSWERS TO THE THINGS THAT YOU LISTED AS THE REASONS WE CAN'T DO SO. FIRST, YOU SAID THERE'S JUST NO PLACE TO HOUSE THE ANIMALS. IF YOU HAD MET WITH US, WE WOULD HAVE EXPLAINED TO YOU THAT THE SAN DIEGO HUMAN SOCIETY HAD THE EXACT

SAME ISSUE AS AUSTIN DOES. THEY HAVE A FOUR ACRE LOT AND THEY DIDN'T KNOW WHAT TO DO DURING RECONSTRUCTION. SO WHAT THEY DID WAS WHAT HOSPITALS ALL OVER THE COUNTRY DO EVERY TIME THEY COME ACROSS THIS ISSUE. THEY REBUILD IN STAGES. IT'S THAT EASY. YOU ALSO MENTIONED THAT THERE WAS THIS INCREDIBLE PUBLIC PROCESS, WE HAD ALL THESE BOND HEARINGS. IF YOU HAD MET WITH US, WE WOULD HAVE SHOWN YOU THE AGENDA ITEMS ON THAT BOND ELECTION PROCESS AND WE WOULD HAVE SHOWN YOU THAT NOT A SINGLE ONE OF THOSE AGENDA ITEMS IDENTIFIED THE LOCATION OF THE ANIMAL SHELTER AS SOMETHING THAT WAS GOING TO BE DISCUSSED. NOT A SINGLE ONE. I AM CERTAIN THAT YOUR OWN LAWYERS WOULD CONCLUDE THAT THAT WAS A VIOLATION OF THE OPEN MEETINGS ACT. THEY DIDN'T PUT PEOPLE ON NOTICE. THEY WERE WITHIN \$200,000 OF THE SAME PRICE, 18.5 TO REBUILD AND 18.3 TO RELOCATE. SO IT SIMPLY ISN'T TRUE THAT THERE WAS SOME HUGE DIFFERENCE IN THE CITY STAFF'S ANALYSIS TWO YEARS AGO. [APPLAUSE] IT'S BEEN CIRCULATED IN THE MEDIA AND A COUNSELOR OF THE COUNCILMEMBERS TALKED TO ME TODAY AND I APPRECIATE THAT ABOUT THE COST OF THE SATELLITE ADOPTION AREA OR PRIMARY ADOPTION CENTER AT TLAC AND MOVING THE TROAFT LEVANDER LOOP. AND I DO APPRECIATE THE COUNCIL LOOKING FOR SOLUTIONS TO THIS. AND LET ME SAY THAT I APPRECIATE THE COUNCIL HAVING THIS MEETING TODAY BECAUSE BEFORE TODAY WE NEVER THOUGHT WE WERE BEING LISTENED TO AT ALL. AND I DO APPRECIATE THAT. [APPLAUSE] BUT I WANT TO TALK ABOUT THAT SOLUTION AND I'M GOING TO TALK AS RYAN CLINTON, NOT AS PRESIDENT OF FIXAUSTIN.ORG, NOT AS -- I CAN'T SPEAK FOR THE BOARD OF FIXAUSTIN.ORG BECAUSE WE COULDN'T CONVENE IN TIME TO ANSWER THIS QUESTION. I CAN ONLY SPEAK FOR MYSELF. AND WHEN POSED WITH A QUESTION BY COUNCILMEMBER MCCRACKEN, HE SAID WOULD THAT AN GOOD THING FOR ANIMALS IF WE KEPT IT A PRIMARY ADOPTION FACILITY AT TLAC? AND THE ANSWER TO THAT IS OF COURSE IT WOULD. OF COURSE IT WOULD BE BETTER FOR AN BE MALLS TO HAVE A -- FOR ANIMALS TO HAVE A BETTER LOCATION. I AM NOT HERE TO SUPPORT THAT PERSONALLY. THE REASON IS THE FRIENDSHIPS, THE

IRREVERSIBLE LIFELONG FRIENDSHIPS THAT HAVE BEEN CREATED THROUGH THIS PROCESS WITH THE AMAZING PEOPLE OF EAST AUSTIN -- LET ME TELL YOU WHY. THEY WERE EXCLUDED FROM THIS PROCESS ON DAY ONE. PEOPLE DIDN'T ASK TO MEET WITH THE NEIGHBORHOODS IN EAST AUSTIN BEFORE THEY DECIDED TO PUT THE SHELTER SHELTER THERE. CAN YOU SERIOUSLY SUGGEST THAT HAD 44 BEAUTIFUL ACRES TURNED UP IN WEST AUSTIN IN THE HILL COUNTRY, THAT THE CITY STAFF WOULD HAVE RELOCATED A CITY FACILITY THERE WITHOUT DISCUSSING IT WITH THE NEIGHBORHOOD? CAN YOU SERIOUSLY SAY THAT TODAY? [APPLAUSE] THE AFFECTED NEIGHBORHOODS IN EAST AUSTIN, THEY HAVE BEEN UNFAIRLY BURDENED BY MUNICIPAL FACILITIES FOR WAY TOO LONG. THEY HAVE BORE THE BURDEN OF OUR POWER PLANTS, OF OUR TANK FARMS, OF OUR REFINERIES. OF OUR LUMBER COMPANIES AND OF OUR POLLUTERS, AND THEY DON'T DESERVE TO YET AGAIN BEAR THE BURDEN. MAYOR WYNN, AGAIN, I SAW YOU ON TELEVISION. I CELEBRATED IT WITH YOU WHEN YOU CELEBRATED THE CLOSING OF THE HOLLY WATER TREATMENT PLANT. I CELEBRATED WITH YOU AND I FIND IT JUST ASTOUNDING THAT WITHIN TWO WEEKS OF CELEBRATING THE CLOSURE OF A TREATMENT PLANT, BUT PARTIALLY FOR THE REASON THAT IT UNFAIRLY BURDENS THE RESIDENT OF A POOR COMMUNITY THAT YOU WOULD PUT ON THE AGENDA AT CITY COUNCIL A MOTION TO DO THE SAME THING AGAIN. THE PEOPLE OF EAST AUSTIN WANT AFFORDABLE HOUSING ON THEIR LAND AND I BELIEVE THAT THAT'S THE BEST USE MUCH THAT LAND. AND I BELIEVE THAT YOU AND COUNCILMEMBER DUNKERLEY, WHO ARE LEAVING NEXT YEAR, SHOULD NOT LEAVE A LEGACY OF EXCLUDING A POOR COMMUNITY FROM THE NEGOTIATIONS - - FROM THE NEGOTIATING TABLE FOR PUTTING SOMETHING IN THEIR COMMUNITY. THANK YOU. I'M HAPPY TO ANSWER ANY QUESTION. [APPLAUSE]

I'D LIKE TO SAY THAT THE TIME ON THIS IS NOT FAIR. BECAUSE CITY STAFF IS NOT NEUTRAL ON THIS. WE DON'T HAVE ONE SIDE AND THE OTHER AND STAFF AS NEUTRAL. THEY'RE ADVOCATE FOR THIS. SO I FEEL LIKE YOU SHOULD GIVE US 15 MORE MINUTES. THE TIME THAT YOU GAVE CITY STAFF. [APPLAUSE] SO YOU CAN DECIDE THAT IN A

SECOND. I HAVE A PREPARED SPEECH, BUT I NEED TO ADDRESS THIS GENTLEMAN WHO CHANGED HIS MIND BECAUSE SOMEBODY TOLD HIM THAT THE CITY COUNCIL COULD PROMISE HIM THAT THAT WOULD ALWAYS BE PARKLAND AND THAT'S NOT TRUE, MAYOR, BECAUSE THE LEGISLATURE A COUPLE OF YEARS AGO CHANGED THE RULES THAT ALLOW MUNICIPALITIES TO ALIENATE AND TAKE AWAY PARKLAND IF THERE'S THREE CRITERIA, AND HERE THERE ARE. IF SOME PORTIONS OF THE PARKLAND ARE IN THE FLOODPLAIN, BE AND IT DOESN'T SPECIFY WHERE IN THE FLOODPLAIN. SECOND IF THE LAND IS NOT ACTIVELY USED MUCH THE LAST TIME WE WERE HERE, COUNCILMEMBER DUNKERLEY, YOU TALKED ABOUT HOW YOU WANTED TO GET RID OF THE BALL FIELDS AND GET RID OF THE ANIMAL SHELTER AND AL THAT, AND THAT'S PRIMING IT UP. THERE ARE MANY PEOPLE IN TOWN, ENL THE SAVE TOWN LAKE FOLKS, WHO ARE VERY SUSPICIOUS -- COUNCILMEMBER, WHO ARE VERY SUSPICIOUS ABOUT WHAT'S HAPPENING ON TOWN LAKE. AND BECAUSE THERE ARE A LOT OF PEOPLE THAT WANT TO TURN CENTRAL AUSTIN AND TOWN LAKE INTO MANHATTAN. AND AT THE PLANNING COMMISSION WE FOUGHT AND PREVAILED UNANIMOUSLY TO PROTECT TOWN LAKE. SO MANY OF US SEE THE MOVE OF THE ANIMAL SHELTER AS ONE STEP IN MANY DOMINOES. SO RESPECTFULLY TO YOU, YOU KNOW I LIKE YOU, BUT I HAVE TO DISAGREE WITH YOU AND I HAVE TO SAY THAT IT IS INCORRECT. HAVING SAID THAT, THERE HAS BEEN A COVERT ACTIVITY IN RELOCATING THE ANIMAL SHELTER AND THOSE OF YOU THAT ARE FOR SUPPORTING THE LEVANDER LOOP SITE NEED TO RECONSIDER THIS. BECAUSE -- BY THE WAY, WE FILED A LAWSUIT AND THAT'S WHY WE'RE HERE TONIGHT. WE FILED A LAWSUIT AND THAT'S WHY YOU'RE HERE TONIGHT BECAUSE YOU COULD HAVE HAD THIS MEETING THREE OR FOUR YEARS AGO, AND AS A MATTER OF FACT WHEN THEY SHOWED UP THAT WHOLE LIST UP THERE OF PROCESS, PROCESS, DID YOU EVER SEE -- DID YOU SEE ANYWHERE THERE WHERE THEY CAME TO EAST AUSTIN, WHERE THEY CAME TO THE GOVALLE, JOHNSON TERRACE NEIGHBORHOOD PLANNING TEAM. NO, YOU DIDN'T. AND LIKE RYAN SAID, WE HAVE BEEN LEFT OUT OF THE PROCESS. 80 YEARS, 80 YEARS OF INSTITUTIONALIZED RACISM. WHEN IS IT GOING TO STOP?

WHEN WHITE PEOPLE DECIDE TO STOP IT, THAT'S WHEN. [APPLAUSE] I'M SORRY TO SAY THAT, MAYOR, BUT MY DAUGHTER JUST GRADUATED FROM COLLEGE. SHE CAME BACK TO AUSTIN. THEY LOVES AUSTIN. I WANTED TO BE A TRUE DEMOCRATIC CITY. NOT A GOOD OLD BOYS CITY WHERE WE PRETEND TO HAVE EQUITY AND BE DEMOCRATIC AND THEN THESE KINDS OF THING. NOW I'M GOING TO GO TO MY ACTUAL REMARKS. [LAUGHTER] BUT YOU SPARKED THAT WHEN YOU SAID -- SO SIR, YOU WHO CHANGED YOUR MIND, PROMISES, BE BE CAREFUL. I'M ASKING YOU, CITY COUNCILMEMBERS, TO VOTE NO AND OPPOSE THE MOVE TO THE ANIMAL SHELTER. FIRST OF ALL, THE ANIMAL SHELTER IS UNRESOLVED. THERE ARE A LOT OF QUESTIONS ABOUT THE RATIONALE, THE STATISTICS AND THE NUMBERS AND THE MONEY. AND ALL OF THOSE ARE FACING CHALLENGES FOR THE RELOCATION OF THE ANIMAL SHELTER. ALSO THE FINANCING FOR WHEREVER IT IS LOCATE SHERIFF'S DEPARTMENT IN QUEVMENT IT IS ALSO CLEAR WHETHER THERE IS EVEN ENOUGH MONEY AT THIS POINT TO REALLY DO WHAT YOU ALL ARE CALLING A STATE-OF-THE-ART. AND I TELL YOU, I WILL JUMP IN AND HELP, BUT I WILL BE DAMNED IF I'M GOING TO LET YOU NOT UP HOLD DEMOCRACY AND CREATE A TRUE DEMOCRATIC PROCESS. I HAVE HAD ENOUGH OF THAT. YOU SHOULD VOTE NO ON THIS. AND ACTUALLY, YOU SHOULD CREATE A TASKFORCE OF ALL THE STAKEHOLDERS, NOT JUST CITY STAFF. TO FLESH OUT AND EARE VALUATE AND CREATE A TRULY DEMOCRATIC CONSENSUS RELIGIOUS FOR YOU TO RELIGIOUS -- RECOMMENDATION FOR YOU TO CONSIDER. WOULDN'T THAT BE WONDERFUL? [APPLAUSE] THAT'S THE SHELTER SITE. SECONDLY, THE ISSUE OF THE LEVANDER LOOP SITE, AND OUR NEIGHBORHOOD PLAN. AND COUNCILMEMBER KIM, WE MET WITH YOU ON THIS, BE AND I'M SO SORRY THAT COUNCILMEMBER COLE IS NOT ON THE DAIS.

Mayor Wynn: I'LL STOP THE CLOCK. SHE APOLOGIZES. SHE HAD AN EMERGENCY AT HOME WITH HER MOTHER AND SHE EXPECTS TO BE BACK HERE. SHE HOPES TO BE BACK HERE IN TIME TO CAST A VOTE. SO OUR THOUGHTS ARE WITH HER. SHE IS LISTENING TO THIS ON THE RADIO PROBABLY AS WE SPEAK.

...

McCracken: I DON'T THINK IT'S THAT FUNNY THAT SHE HAD TO GO HOME FOR AN EMERGENCY WITH HER MOTHER. I DON'T THINK IT'S FUNNY.

OH. I DON'T THINK IT'S FUNNY, IF THAT'S SO. BUT COUNCILMEMBER MCCRACKEN, THIS IS -- WE WOULDN'T BE HERE IF IT WASN'T FOR THE LAWSUIT. YOU ALL COULD HAVE DONE THE RIGHT THING EARLY ON. SECONDLY, THERE'S THE ISSUE OF THE LEVANDER LOOP SITE. OUR PLAN ADOPTED IN 2003 DOES NOT INCLUDE OR DESIGNATE A HEALTH AND HUMAN SERVICES FACILITY. AND CERTAINLY NO ANIMAL SHELTER. SINCE 2003. AND NO ENTITY IN CONSTITUENT HAS EVER MADE ANY FORMAL PRESENTATION OR GONE THROUGH THE COMPLETE NEIGHBORHOOD REVIEW PROCESS FOR THIS SITE. EVER. AND WHEN THEY SHOWED YOU THAT LIST OF ALL OF THE OPEN STUFF, IT WASN'T THERE. A PROCESS WHICH INCLUDES NOT ONLY REVIEW AND RECOMMENDATION FROM OUR PLANNING TEAM, BUT THE NEIGHBORHOOD PROCESS ALSO REQUIRES REVIEW AND RECOMMENDATION FROM THE PLANNING COMMISSION BEFORE IT COMES TO THIS BODY. NONE OF THIS HAS TAKEN PLACE. SO THE VOTE TO RELOCATE THE LEVANDER LOOP SITE IS PREMATURE. THE ENTIRE MOVE TO RELOCATE THE SHELTER TO ANYPLACE IS PREMATURE. OUR PLANS, OUR NEIGHBORHOOD PLAN CALLS FOR AFFORDABLE HOUSING ON THAT SITE. IT HAS ALWAYS CALLED FOR AFFORDABLE HOUSING ON THAT SITE, BEFORE HEALTH AND HUMAN SERVICES WAS EVEN THERE. I KIND OF FEEL LIKE THEY SNUCK IN THERE WITHOUT US. WE HAVE ALWAYS STATED AND WE CONTINUE TO ADVOCATE THAT POSITION, HOUSING, AFFORDABLE HOUSING. BECAUSE THIS IS PUBLIC LAND, IT IS ABSOLUTELY A GOLDEN OPPORTUNITY TO CREATE REAL AFFORDABLE HOUSING, REAL AFFORDABLE HOUSING STOCK AND MIXED USE WITH HEALTH AND HUMAN SERVICES FOR PEOPLE. THAT'S WHAT OUR NEIGHBORHOOD PLAN CALLS FOR, AS ALWAYS CALLED FOR. THIS IS SIMILAR TO THE TILLERY SQUARE DEVELOPMENT IN EAST AUSTIN WHERE 43 TRULY AFFORDABLE HOMES WERE BUILT ON THAT PROPERTY AND SOME OF THE PEOPLE WHO LIVE THERE NOW ARE THERE. THIS WAS PUBLIC LAND. AND THAT WAS DONE. THE LEVANDER LOOP SITE REPRESENTS A SIMILAR

OPPORTUNITY FOR US IN A TIME WHEN THE WHOLE EAST SIDE IS BEING GENERAL..... GENTRIFIED AND PRICED THROUGH THE ROOF -- GET IT, HOUSING, ROOF? I'M TRYING TO KEEP IT LIGHT. WE ARE LOOKING FOR -- WE'RE LOOKING FOR AND WORKING TO CREATE A PARTNERSHIP WITH PRIVATE DEVELOPERS AND NONPROFIT ORGANIZATIONS LIKE HABITAT FOR HUGH MANTY, LIKE THE GUADALUPE DEVELOPMENT CORPORATION AND OTHERS TO BRING DOWN THE COST OF BUILDING THIS HOUSING STOCK. AND THE LEVANDER LOOP SITE PRESENTS THAT POTENTIAL. THE MAIN ISSUE THAT HAS UNITED BOTH EAST AND WEST AUSTIN NEIGHBORHOOD ASSOCIATIONS IS NOT OUR INDIVIDUAL CONCERNS, BUT OUR COLLECTIVE CONCERN OVER THE CIRCUMVENTING OF A DUE LEGAL PROCESS. THERE HAS BEEN A SYSTEMATIC AND ILLEGAL ATTEMPT TO MISLEAD AND MISINFORM NOT ONLY THE PUBLIC, THE PRESS, BUT ALSO YOU, OUR ELECTED OFFICIALS. AND WE NEVER RELY ON STAFF BECAUSE THERE IS A TRADITION AND A CULTURE HERE OF STAFF CREATING POLICY DE FACTO THIS IS THAT. BECAUSE BEFORE TONIGHT CITY STAFF DID NOT HAVE A DIRECTIVE FROM THE PEOPLE THROUGH YOU TO MOVE THE ANIMAL SHELTER OVER THERE. MAYBE TONIGHT THAT DIRECTIVE WILL BE, BUT THAT STILL DOESN'T REMEDY OUR SUIT. YOU SHOULD BE MORE CONCERNED ABOUT THIS THAN ANYTHING SURROUNDING THE REST OF THESE ISSUES BECAUSE WE'RE TALKING ABOUT DEMOCRACY. WE'RE TALKING ABOUT THE PEOPLE -- EVERYBODY HAVING A SAY IN DETERMINING THEIR FUTURES, NOT JUST A FEW PEOPLE WHO ARE ON THE INSIDE OR WHO HAVE THE REIGNS OF POWER. THIS IS WHY THERE ARE CHECKS AND BALANCES. THIS IS WHY THE CITY MANAGER CANNOT DO WHATEVER SHE WANTS OR CITY STAFF WITHOUT YOU. AND IN THIS SITUATION THAT'S WHAT HAS HAPPENED. EVERY PERSON IN THE PLANNING PROCESS THROUGHOUT THE ENTIRE CITY SHOULD BE CONCERNED ABOUT THIS VOTE AND HOW IT WILL IMPACT AND HOW WE WILL VIEW OUR NEIGHBORHOOD PLANS AND THE PLANNING PROCESS AS A VALID INVESTMENT IN OUR TIME AND ENERGY. ALL OVER THE CITY PEOPLE ARE HAVING PROBLEMS WITH CITY STAFF SUBVERTING, MISINFORMING, DISINFORMING OUR NEIGHBORHOOD PLANS, ALL OVER THE CITY. THERE ARE SEVEN LAWSUITS RIGHT NOW AGAINST THE CITY ON

NEIGHBORHOOD PLANNING. DOESN'T THAT TELL YOU SOMETHING'S WRONG, COUNCILMEMBER LEFFINGWELL? YES, SIR, I JUST DID. BECAUSE I WANT YOU TO BE A HUMAN BEING HERE WITH US AND NOT JUST SOMEBODY STANDING THERE WAITING UNTIL WE'RE DONE BECAUSE WE ALL LIVE HERE. YOU'RE MY NEIGHBOR TOO.

[INAUDIBLE - NO MIC].

Professor: OKAY. I'VE SAID ENOUGH --

OKAY. I'VE SAID ENOUGH. THANK YOU VERY MUCH. [APPLAUSE]

Mayor Wynn: MAYOR PRO TEM? I'M PAUSING THE CLOCK.

Dunkerley: I WOULD LIKE TO CORRECT ONE QUOTE, DANIEL, WHICH YOU GAVE TO ME WHICH WASN'T TRUE. WHEN PEOPLE HAVE ASKED ME WHAT I THINK THE LAND WILL REVERT TO IF THAT SHELTER MOVES, MY ANSWER HAS ALWAYS BEEN I WOULD EXPECT THAT THE PARKS BOARD AND THE COUNCIL WOULD REVERT TO PLAYING FIELDS, JUST AS THE ADJACENT LAND IS ALREADY PLAYING FIELDS. SO JUST FOR THE RECORD.

Mayor Wynn: AND WE HAVE SEVEN MINUTES AND 27 SECONDS LEFT.

MAYOR, COUNCIL, PAUL SEALS. I'M A RESIDENT OF OLD WEST AUSTIN AND CHAIR OF THE AWANA STEERING COMMITTEE. I APPRECIATE THE COUNCIL PLACING THIS ISSUE ON THE AGENDA FOR DISCUSSION. MANY IN OUR NEIGHBORHOOD WORK VERY HARD TO PASS THE BOND ELECTION FOR IMPROVEMENTS AT THE SHELTER. WITH THE SHELTER LOCATED IN OUR NEIGHBORHOOD, WE HAVE CONSIDERED THE ISSUE OF THE SHELTER'S RELOCATION TO LEVANDER LOOP. THE MEMBERSHIP OF AWANA VOTED OVERWHELMINGLY TO OPPOSE THE RELOCATION AND TO WORK WITH THE CITY TO IMPROVE THE EXISTING LOCATION. THE NEIGHBORHOOD HAS EXPRESSED THEIR STRONG SENTIMENT THAT THE ANIMAL SHELTER SHOULD REMAIN IN OUR NEIGHBORHOOD. ON A PERSONAL BASIS, WHEN MY TWO DAUGHTERS WERE YOUNGER I WAS VERY ACTIVE IN

WEST AUSTIN YOUTH ASSOCIATION. I WAS ON THE BOARD WHEN THE FORMER OVERFLOW PARKING AREA JUST SOUTH OF THE SHELTER WAS CONVERTED TO A NEW SOCCER FIELD FOR YOUNGER AGE PARTICIPANTS. IF THE CITY IS INTERESTED IN INCREASING THE RATE OF ADOPTIONS AT THE SHELTER, I CANNOT THINK OF A BETTER PLACE FOR THE SHELTER, RIGHT IN THE MIDDLE OF A HIGH USE AREA OF FAMILIES AND SMALL CHILDREN. ALSO, AS A RUNNER ON TOWN LAKE TRAIL, I BELIEVE THAT THE CURRENT LOCATION ENHANCES ADOPTIONS, GIVEN THE THOUSANDS WHO TAKE ADVANTAGE OF THE AMENITIES AROUND LADY BIRD LAKE AND WHO FOLLOW THE SOUND OF BARKING DOGS. I HAVE TO BELIEVE THAT CLEAR HEADS EVALUATING ALL THE FACTS WILL COME TO THE RIGHT DECISION, RIGHT FOR THE ANIMALS, RIGHT FOR THE NEIGHBORHOODS AND RIGHT FOR THE CITY. THANKS AGAIN FOR BRINGING THIS MATTER UP ON YOUR AGENDA. [APPLAUSE]

MY NAME IS (INDISCERNIBLE). I WANT TO MAKE THIS QUICK BECAUSE WE'VE GOT A LOT OF SPEAKERS HERE TONIGHT. I DIDN'T MOVE TO EAST AUSTIN. I WAS BORN AND I WAS RAISED THERE IN EAST AUSTIN. AND ANOTHER THING, I KEEP HEARING THE SAME THING OVER AND OVER AGAIN. WE NEED THE SHELTER IN EAST AUSTIN. THAT'S WHERE ALL THE DOGS ARE AT, THAT'S WHERE ALL THE STRAYS ARE AT. LET ME TELL YOU THERE'S A LOT OF HOMELESS FAMILIES IN EAST AUSTIN. WE SHOULD BE THINKING ABOUT HOUSING FOR THEM. WE SHOULD BE BUILDING MORE HOUSING OUT THERE. AND WE ALSO KEEP HEARING ABOUT PARKLAND, PARKLAND. IT'S BEEN OVER 20 YEARS. JUST THIS YEAR WE HAD FINALLY PUT LIGHT BULBS AT GOVALLE PARK. AND THIS IS NOT GOING TO BE A REGULAR, ORDINARY LITTLE DOG SHELTER. WHEN THEY SAY STATE-OF-THE-ART, BE IT WILL BE A DOG HOTEL. HOW MANY OF YOU CAN AFFORD TO GO IN A HOTEL AND STAY THERE ALL NIGHT. THEY'LL HAVE A FULL LENGTH SWIMMING POOL, A TRACK --

[INAUDIBLE - NO MIC].

NO. I PAY TAXES. MY GRANDKIDS SHOULD BE ABLE TO GO TO THE PARK AND GO SWIMMING. IT'S ALWAYS CLOSED DOWN. NO, THEY DON'T DESERVE IT. AND THESE PEOPLE CARE SO MUCH ABOUT THE DOGS BECAUSE IT'S SO NOISY OVER

HERE. WELL, YOU AIN'T HEARD NOTHING YET. JUST A FEW FEET AWAY WE HAVE THE AUSTIN FIRE DEPARTMENT, MIKE, ISN'T THAT TRUE? THE FIRE DEPARTMENT, THE POLICE DEPARTMENT. WE HAVE E.M.S. IT'S ON THE EAST SIDE. THEY'RE RUNNING 24/7. AND THESE PEOPLE THAT WORK FOR EMANCIPET, THEY KEEP SAYING THEY NEED QUIET. WE NEED TO MOVE THEM OUT THERE BECAUSE IT'S SO PEACEFUL. YOU HAVE BEEN WORKING THERE SO LONG YOU'VE DONE LOST YOUR HEARING TOO BECAUSE IT IS NOISY OUT THERE. SO IF YOU'RE GOING TO RELOCATE IT, RELOCATE IT ELSEWHERE. AND COUNCILMEMBER, I HAVE TO LET YOU KNOW ONE WITH THING, WE WERE NOT ASLEEP. WE'VE LEARNED YEARS AND YEARS AGO THAT WE HAVE TO SLEEP WITH ONE EYE OPEN AND ONE EYE SHUT BECAUSE WHEN WE CLOSE BOTH EYES, NO TELLING WHAT YOU WILL BRING INTO OUR COMMUNITY. SO NO, WE WERE NOT ASLEEP. [APPLAUSE] AND IF WE WERE, LET ME ASSURE YOU THAT WE HAVE AWAKENED. ANOTHER THING TOO, MAYOR WYNN, EVERY TIME SOMETHING HAPPENS, LET'S FORM A COMMITTEE. THE CITY MANAGER, THEY'VE GOT A COMMITTEE FOR EVERYTHING. TELL YOU WHAT, SINCE Y'ALL AND THE CITY STAFF COULD NOT FIND A LOCATION OTHER THAN THE ONE ON LEVANDER LOOP, LET'S SAY THAT WE FORM OUR OWN COMMITTEE AND HELP Y'ALL FIND ANOTHER LOCATION FOR THE ANIMAL SHELTER. THANK YOU. [APPLAUSE]

Mayor Wynn: THREE AND A HALF MINUTES. WELCOME.

GOOD EVENING, COUNCILMEMBERS. MY NAME IS LARRY TUCKER AND I AM A MEMBER OF THE ASPCA, THE HUMANE SOCIETY OF THE UNITED STATES, THE VICE-PRESIDENT OF THE STATE OF TEXAS ANIMAL ALLIANCE AND A COMMISSION MEMBER ON THE ANIMAL ADVISORY COMMISSION. I WANTED TO START BY SAYING I HOPE THAT EVERYTHING IS OKAY WITH COMMISSIONER COLE'S MOTHER. OUR DEEPEST -- OUR HEART FELT FEELINGS ARE WITH HER. WE'LL BE PRAYING FOR HER AND HOPE EVERYTHING IS OKAY. AND BEFORE I MOVE ON, I PROMISED THE DAUGHTER OF JOHN DAVENPORT FOR WHOSE NAME THE BUILDING SITS ON OR IS NAMED AFTER AT TOWN LAKE ANIMAL SHELTER. SHE INFORMS ME THAT IF HE WERE ALIVE TODAY, HE WOULD BE LEADING THIS CHARGE TO HAVE THE SHELTER WHERE IT IS, KEPT WHERE

IT IS. [APPLAUSE] I WOULD LIKE TO FIRST ADDRESS YOU AS A MEMBER OF THE ASPCA. THERE'S BEEN A LOT OF LOBBYING BY THE ASPCA AND THE AUSTIN HUMANE SOCIETY TO BUILD THE ANIMAL SHELTER AT THE LEVANDER LOOP SITE. SOME PEOPLE ASKED ME WHERE Y. THESE ORGANIZATIONS WOULD ENDORSE SUCH A RECKLESS DECISION AND I'VE EK STRUGGLED WITH THAT ANSWER MYSELF. BUT I CAN ASSURE THAW THEY DO NOT SPEAK FOR ME. IT SEEMS TO ME THESE ORGANIZATIONS SIMPLY ACCEPTED THE INFORMATION PRESENTED BY THE STAFF WITHOUT QUESTION; HOWEVER, UPON REVIEW OF THE FACTS, A DIFFERENT PICTURE EMERGES AS YOU'VE SEEN OVER AND OVER. ONE WHICH THE FLOODPLAIN DEBATE IS NULL AND VOID. AND SECONDLY, BE I WILL LIKE TO ADDRESS YOU AS A COMMISSION MEMBER OF THE ANIMAL ADVISORY COMMISSION. I WOULD LIKE TO READ TO YOU THE CONTENT OF AN E-MAIL THAT WAS SENT TO ALL OF YOU COUNCILMEMBERS ON BEHALF OF THE ANIMAL ADVISORY COMMISSION. AS YOU WILL HEAR, THE E-MAIL SPECIFICALLY ASKS COUNCIL TO CONSIDER REBUILDING THE ANIMAL SHELTER WRER IT IS ON TOWN LAKE. TO THE MAYOR AND CITY COUNCIL, AT THE ANIMAL ADVISORY COMMISSION MEETING ON SEPTEMBER 18th, 2007. FIVE OF THE SIX COMMISSION MEMBERS PRESENT VOTED IN FAVOR OF PROVIDING YOU WITH THE FOLLOWING RECOMMENDATIONS: NUMBER ONE, ON OCTOBER 11th, YOU ARE SCHEDULED TO VOTE ON AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICE AGREEMENT WITH JACKSON AND RYAN ARCHITECTS, HOUSTON, TEXAS, FOR ARCHITECTURAL SERVICES FOR A NEW ANIMAL SHELTER. WE ADVISE AND RECOMMEND THAT YOU DO NOT AUTHORIZE THE NEGOTIATION AND EXECUTION OF THIS PROFESSIONAL SERVICES AGREEMENT AT THAT TIME. NUMBER TWO, WE FURTHER ADVISE AND RECOMMEND THAT YOU EXPAND THE SCOPE OF THE FEASIBILITY STUDY DESCRIBED IN ANY PROFESSIONAL SERVICES AGREEMENT THAT DO YOU AUTHORIZE FOR ARCHITECTURAL SERVICES FOR A NEW ANIMAL SHELTER TO INCLUDE THE CURRENT LOCATION ON CESAR CHAVEZ IN ADDITION TO THE PROPOSED NEW LOCATION ON LEVANDER LOOP. NUMBER THREE, FINALLY, WE ADVISE AND RECOMMEND THAT YOU CONDUCT A PUBLIC DIALOGUE CONCERNING THE RESULTS OF SELECTED

CONSULTANT'S FEASIBILITY ANALYSES OF THE CESAR CHAVEZ AND LEVANDER LOOP LOCATIONS BEFORE AUTHORIZING FURTHER WORK AT EITHER LOCATION. RESPECTFULLY SUBMITTED, CAROL A. ADAMS, CHAIR, ANIMAL ADVISORY COMMISSION. I WOULD LIKE TO READ TO YOU NOW WHAT THE VOTE WAS. HERE IS THE VOTE TALLY. COUNCILMEMBER COLE, HER APPOINTEE VOTED YES. [BUZZER SOUNDS] COUNCILMEMBER MARTINEZ, YOUR APPOINTEE VOTED YES. COUNCILMEMBER MCCRACKEN, YOUR APPOINTEE VOTED YES. COUNCILMEMBER DUNKERLEY, YOUR APPOINTEE VOTED YES. MAYOR WYNN, YOUR APPOINTEE ABSTAINED. I WAS APPOINTED BY THE COMMISSIONERS COURT AND I VOTED YES. YOU APPOINTED THIS COMMISSION TO ADVISE YOU ON ANIMAL WELFARE ISSUES. I URGE YOU TO FOLLOW THE RECOMMENDATIONS OF THE ANIMAL ADVISORY COMMISSION. AND FURTHER URGE TO YOU LISTEN TO THE EAST AND WEST AUSTIN NEIGHBORHOODS WHO ELECTED YOU. THANK YOU. [APPLAUSE] ONE MORE THING IF I COULD SAY, BE WE HAVE 7,000 SIGNATURES THAT WE WOULD LIKE TO PRESENT TO YOU TONIGHT THAT ARE IN FAVOR OF REBUILDING TOWN LAKE ANIMAL CENTER WHERE IT IS ON TOWN LAKE. [APPLAUSE]

Mayor Wynn: AND IN ADDITION TO THE SIGNATURES, WE'LL ALSO NOTE ALL THE FOLKS HERE WHO HAVE SIGNED UP EITHER -- NOT WISH TO GO SPEAK AND VOTE THEY'RE EITHER SUPPORT OF EITHER SIDE OF THE ISSUE. AND FOR THE RECORD, 140 CITIZENS SIGNED UP, NOT ALL WISHING TO SPEAK. 90 AGAINST THE POSTING. 48 IN FAVOR. AND TWO PEOPLE NEUTRAL. SO OUR TIME HAS NOW EXPIRED FOR BOTH FOLKS ADVOCATING FOR RELOCATING THE SHELTER TO THE HEALTH DEPARTMENT CAMPUS OR REBUILDING THE SHELTER AT THE CURRENT LOCATION. COUNCIL, FURTHER COMMENTS, QUESTIONS? I'D LIKE TO ADDRESS A FEW THINGS THAT I HEARD THAT I WANTED TO EITHER SPEAK TO DIRECTLY OR ASK COUNCIL -- OR STAFF TO HELP ME WITH. FOR A MONTH OR MO WE WERE POSTING, ANTICIPATING, STAFF WAS BRINGING FORWARD TODAY, OCTOBER 11th, THE ARCHITECTURAL SERVICES CONTRACT FOR THE FACILITY. FUNDAMENTALLY THAT'S WHEN -- THAT'S WHEN THE COUNCIL MAKES THE DECISION TO START SPENDING

MONEY, WHICH FUNDAMENTALLY ANSWERS THE QUESTION ABOUT A SITE ON ANY LOCATION. FOR ANY FACILITY. AND SO THAT HAD BEEN POSTD FOR OVER A MONTH OR SO AT COUNCILMEMBER MARTINEZ'S REQUEST STAFF PUSHED THAT BACK A WEEK SO AS ANTICIPATING COMING FORWARD NEXT WEEK THE 18th. AND THEN INSTEAD OF -- IN LIEU OF JUST VOTING ON THE ARCHITECTURAL CONTRACT, WHICH ANSWERED THE QUESTION, BECAUSE IT WOULD BE VERY SITE SPECIFIC, COUNCILMEMBER MARTINEZ AND I BOTH TALKED ABOUT BRINGING FORWARD AN ITEM THIS WEEK TO TALK ABOUT THE QUESTION AND TALK ABOUT THE ACTUAL LOCATION. I TRUST MR. GUERNSEY IS STILL IN THE BUILDING SINCE WE STILL HAVE ZONING CASES TO....STO TAKE UP TONIGHT. GREG, IF YOU COME FORWARD, I HEARD SOME COMMENTS ABOUT THE NEIGHBORHOOD PLAN. AND I WAS ON THE DAIS WHEN WE -- I BELIEVE WHEN WE APPROVED THAT NEIGHBORHOOD PLAN, SO CAN WE HAVE A BRIEF DISCUSSION ABOUT -- CAN YOU REMEMBER WAS IT '02, '03 OR SO WHEN WE APPROVED THIS NEIGHBORHOOD PLAN?

IT GOES BACK TO ABOUT THAT TIME PERIOD. THE NEIGHBORHOOD PLAN AS IT STANDS NOW DOES NOT SPEAK TO LOCATING AN ANIMAL FACILITY OR ANIMAL SHELTER. IT WOULD NOT. WHAT THE PLAN SPEAKS TO --

Mayor Wynn: THAT PLAN WAS APPROVED WHEN?

I DON'T HAVE A SPECIFIC DATE IN MONTH OF ME. I DO HAVE A COPY OF THE PLAN.

'03.

Mayor Wynn: THANK YOU. SO IN '03 WE APPROVED THE NEIGHBORHOOD PLAN THAT DOES TWO THINGS, WHICH IS SO VALUABLE TO OUR NEIGHBORHOOD PLANNING PROCESS. IT ZONES PROPERTY, SO IT IDENTIFIES THE TECHNICAL ZONING OF A TRACT OF LAND, BUT THEN IT ALSO IDENTIFIES WHAT WE CALL THE FUTURE LAND USE MAP, THAT IS, THE FUTURE USE THAT WE WANT ON THAT ZONED PIECE OF PROPERTY. CORRECT?

THAT'S CORRECT.

SO TWO BIG PIECES TO A PUZZLE FOR NEIGHBORHOOD PLANNING.

AND THE DESIGNATION ON THIS PARTICULAR PROPERTY WHICH ALLOW FOR ANY NUMBER BE OF GOVERNMENTAL TYPE USES. IT COULD INCLUDE PARKLAND, COULD INCLUDE A CITY HOUSING FACILITY, COULD INCLUDE AN ANIMAL SHELTER, OTHER TYPES OF CITY FACILITY.

...

Mayor Wynn: FAIR STATION. ANY CITY FACILITY -- FIRE STATION, ANY CITY FACILITY.

CORRECT. IT'S ALSO ZONED P PUBLIC. IN THIS CASE IT'S MY UNDERSTANDING THE FACILITY AS PROPOSED WILL PROBABLY BE OVER AN ACRE AND IS PART OF A REQUIREMENT UNDER OUR CODE A P PUBLIC TRACT WITH A PROPOSED CITY FACILITY. IT WOULD REQUIRE SITE PLAN APPROVAL BY THE PLANNING COMMISSION THAT WOULD BE AVAILABLE FOR APPEAL BY AN INTERESTED PARTY TO THIS BODY, THE CITY COUNCIL, FOR OUR FINAL DETERMINATION. THE NEIGHBORHOOD PLAN ALSO SPOKE TO THIS TRACT SPECIFICALLY AND MENTIONED THE FORMER TEXAS STATE SCHOOL PROPERTY NOW OWNED BY THE CITY OF AUSTIN AND THE PLAN DID RECOGNIZE THAT IT'S ZONED BY THE CITY THROUGH THE HEALTH AND HUMAN SERVICES DEPARTMENT, SO THERE WAS RECOGNITION THAT IT WAS OWNED BY THE CITY AND CONTROLLED BY THE HEALTH AND HUMAN SERVICES DEPARTMENT. A LARGE PORTION OF THE NORTHERN PART OF THE PROPERTY IS AFFECTED BY A POWER LINE AND IT RUNS THROUGH THE PROPERTY. THE POWER LINE CONSTITUTES A SIGNIFICANT IMPEDIMENT TO THE DEVELOPMENT OF THIS PROPERTY. THE NEIGHBORHOOD STAKEHOLDERS SUGGESTED THAT IF POSSIBLE TO REROUTE THESE POWER LINES THE SITE MIGHT BE APPROPRIATE FOR RESIDENTIAL DEVELOPMENT. RESIDENTIAL DEVELOPMENT THAT WAS AFFORDABLE AND AVAILABLE TO LOCAL FAMILIES IS SUPPORTED BY THE PLAN. IT IS NOT POSSIBLE -- FITS NOT POSSIBLE TO REROUTE THE POWER LINE, OTHER SUGGESTIONS FOR THE PROPERTY INCLUDE RECREATIONAL USES, INCLUDING PLAY FIELDS, SMALL WALKING TRAILS, PLAYGROUNDS. AND THAT'S

WHAT'S ACTUALLY STATED IN THE FRAN PLAN. I WAS READING FROM PAGE 44 THAT HAVE DOCUMENT. IT DOES NOT PRECLUDE OTHER USES. IT DOESN'T SET OUT FOR YOU CAN'T PUT A FIRE STATION THERE, YOU CAN'T DO ANYTHING. IT MAKES SUGGESTIONS OF THING THAT THEY WOULD LIKE TO SEE.

Mayor Wynn: BUT BOTH THE ZONING AND THE FUTURE LAND USE DESIGNATION THAT WE ALL PUT IN PLACE IN '03, THIS FACILITY, AS A NUMBER OF OTHER CITY FACILITIES, IS PERFECTLY COMPLIANT WITH THAT NEIGHBORHOOD PLAN.

COMPLAINT WITH THAT NEIGHBORHOOD PLAN FOR THE LAND USE AND FOR THE ZONING IN PARTICULAR. THERE'S NO ZONING CHANGE THAT WOULD BE REQUIRED. BUT THERE IS A REQUIREMENT FOR CONDITIONAL USE PERSONALITY THAT WILL REQUIRE PUBLIC NOTICE, PUBLIC HEARING, ANOTHER MEETING BEFORE COMMISSION, THE SAME FACILITY. AS I SAID BEFORE, IF THERE'S AN AGRIEVED, INTERESTED PARTY, THEY CAN APPEAL THAT DECISION TO YOU.

Mayor Wynn: ALL RIGHT. OKAY. THANK YOU. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS]

GOOD EVENING, MAYOR, COUNCIL MEMBERS. DAVID LURY, DIRECTOR OF HEALTH AND HUMAN SERVICES. WE'VE HAD DISCUSSION AND WE'RE LOOKING AT THE POSSIBILITY OF UTILIZING THE DAVENPORT BUILDING WHICH IS ACTUALLY THE ENTIRE FACILITY THERE AT TOWN LAKE, PROBABLY THE NEWEST AND THE ONE THAT IS IN THE BEST CONDITION, AND WE'RE LOOKING AT THE POTENTIAL, IF WE WERE TO MOVE THE SHELTER, TO HAVE AN OFF-SITE ADOPTION PROGRAM LOCATED THERE, PLACE IT IN THE DAVENPORT BUILDING. WE THINK WE COULD USE IT PRETTY MUCH AS IS, MAYBE SOME SLIGHT MODIFICATIONS. WE'VE HAD SOME DISCUSSIONS WITH BUILDING SERVICES FOLKS AND WE MIGHT BE LOOKING AT A COST OF POTENTIALLY IN THE \$20,000 RANGE. TO BE ABLE TO DO SO IN TERMS OF STAFFING, WE'D PROBABLY BE LOOKING AT AT LEAST ONE FULL-TIME EMPLOYEE DEDICATED TO THAT WORK, AND THEN UTILIZING VOLUNTEERS TO ASSIST US AND WOULD BE BRINGING ANIMALS OVER FROM THE MAIN SHELTER TO THAT

SITE FOR ADOPTION AND ALSO PROBABLY HAVE A KIOSK AT THAT SITE WHERE PEOPLE COULD VIEW A WHOLE RANGE OF ANIMALS POTENTIALLY AVAILABLE FOR ADOPTION FROM THE -- FROM THE MAIN SHELTER OR SITE. SO IT WOULD BE OUR RECOMMENDATION IF WE CHOOSE TO PROCEED WITH RELOCATION TO COUPLE IT WITH AN OFF-SITE ADOPTION CENTER AT THAT LOCATION.

COULD THIS -- COULD THIS ADOPTION CENTER ON THE LADY BIRD LAKESIDE, OPEN THE SAME TIME THAT THE NEW SHELTER OPENS, IF THAT'S THE DIRECTION WE GO IN AS A COUNCIL?

I THINK IT'S UP AS TO THE COUNCIL. OBVIOUSLY IF THAT'S YOUR PLEASURE AND A DECISION IS MADE AND RESOURCES PROVIDED, I THINK, AS I SAID, BECAUSE IT WOULD BE VERY LITTLE REQUIRED IN TERMS OF ADAPTABILITY OF THAT PARTICULAR BUILDING, THAT WE COULD PROBABLY PLAN IT TO COINCIDE, YES.

ONE LAST QUESTION. DO YOU HAVE A SENSE TODAY OF HOW MUCH ADOPTION CAPACITY THERE COULD BE THERE?

WE HAVEN'T SPECIFIED NUMBERS. I THINK WE WOULD PROBABLY -- I MEAN, THERE'S A GOOD BIT OF SPACE THERE. WE HAVE A COUPLE OF LARGE OPEN ROOMS. WE HAVE TEMPORARY CAGES THAT WE COULD USE. WE COULD EVEN POTENTIALLY LINK UP TO A SMALL PORTION OF THE KENNELS THAT ARE CURRENTLY ON-SITE. SO COUNCIL MEMBER, I HESITATE TO GIVE YOU A SPECIFIC NUMBER. I THINK THAT'S SOMETHING THAT WE WOULD WANT TO WORK THROUGH IN TERMS OF WHAT MAKES SENSE, AND PROBABLY IF WE WERE TO PROCEED, STRUCTURE IT IN A WAY THAT WE COULD ADJUST AND FLEX OVER TIME, DEPENDING ON WHAT THE DEMAND IS.

IT STRIKES ME THAT THAT BUILDING SITTING HERE TODAY COULD BE A PRETTY SIGNIFICANT ADOPTION -- I MEAN, IT HAS THE POTENTIAL TO BE A VERY SIGNIFICANT ADOPTION FACILITY IF WE WERE TO GO WITH SOMETHING LIKE A BRANCH LIBRARY MODEL WHERE WE DIDN'T JUST SAY THAT, IN THE CITY OF 750,000, THAT WE'LL ONLY HAVE ONE ADOPTION PLACE IN THE ENTIRE METRO AREA, ENTIRE CITY,

THAT WE COULD HAVE A LOT OF ADOPTION CAPACITY THERE, AND ALSO HAVE ADOPTION FACILITIES AT THE LOOP AND NORTHWEST AUSTIN AND SOUTHWEST AUSTIN TOO.

I THINK COUNCIL MEMBERS, OUR CITY CONTINUES TO GROW AND IT BECOMES MORE AND MORE CHALLENGING FOR PEOPLE TO MOVE ABOUT IN TERMS OF TRAFFIC AND SO FORTH, THAT WE WOULD LIKE TO SEE THIS AS POSSIBLY A MODEL THAT WE COULD PILOT INITIALLY, AND FROM THAT EXPERIENCE PERHAPS LOOK AT OTHER LOCATIONS AND OTHER OPPORTUNITIES OVER TIME. YES.

THANK YOU, DAVID.

MAYOR WYNN: FURTHER COMMENTS? COUNCIL MEMBER KIM?

MR. LURIE, A COUPLE YES, SIR I HAVE FOR YOU ABOUT ADOPTION CENTER ON THE SITE. ONE OF THE THINGS, SINCE WE HAVE TECHNOLOGY AND I THINK TOBY SAID THERE IS A T1 LINE OR HIGH-SPEED INTERNET LINE GOING OUT THERE, COULD WE LOOK AT PUTTING PICTURES OF ALL THE ANIMALS AT THE SITE ON-LINE FOR ANYONE TO LOOK AT? I MEAN, IF THEY WANT TO COME TO THE SHELTER THEY COULD COME AND LOOK AT THE ACTUAL ANIMAL BUT IS THAT POSSIBLE TO PUT THEM ALL ON-LINE?

COUNCIL MEMBER KIM, I'M PROBABLY NOT THE BEST PERSON TO TALK ABOUT THE TECHNOLOGY, BUT LET ME MAKE A COUPLE COMMENTS ABOUT THAT. ONE IS THAT IS AVAILABLE CURRENTLY. I DON'T KNOW HOW EXTENSIVE IT IS, BUT I KNOW THERE IS ACCESS TO PICTURES OF THE ANIMALS ON-LINE CURRENTLY THROUGH OUR WEB SITE. AND THE KIOSK I WAS DESCRIBING, WHICH WE CURRENTLY HAVE IN OUR CURRENT ADOPTION CENTER, IS CHG SOMETHING WE WOULD MAKE AVAILABLE THERE ON-SITE WHERE PEOPLE VISITING THAT PARTICULAR LOCATION COULD VIEW ALL THE OTHER ANIMALS THAT ARE AT THE MAIN SHELTER, AND IF THEY IDENTIFY AN ANIMAL THERE THAT THEY'RE INTERESTED IN, MIGHT BE ABLE TO MAKE ARRANGEMENTS. BUT CERTAINLY WOULD BE WILLING TO LOOK INTO OTHER POSSIBILITIES IN TERMS OF THE

TECHNOLOGY.

KIM: WELL, THAT'S SOMETHING THAT WHEN I'VE DISCUSSED IT WITH PEOPLE, THAT'S SOMETHING THEY SAID THAT THEY WOULD REALLY LIKE TO HAVE, PEOPLE FROM ALL PARTS OF AUSTIN CAN LOOK AT THE ANIMALS AND IF THEY ARE INTERESTED IN A SPECIFIC BREED OR A SPECIFIC ANIMAL, THEY CAN COME AND VISIT THE ANIMAL, UNLESS SOMEONE HAS ALREADY ADOPTED IT, OF COURSE, BUT IT'S SOMETHING THAT WOULD BE REALLY CONVENIENT FOR EVERYONE, I BELIEVE.

ABSOLUTELY, COUNCIL MEMBER, AND AGAIN I THINK LOOKING AT MAXIMIZING THE POTENTIAL TECHNOLOGY THAT'S THERE, LOOKING AT OPPORTUNITIES FOR OFF-SITE ADOPTIONS AND SO FORTH, THESE ARE THINGS THAT WE NEED TO BE LOOKING AT AND WE HAVE BEEN HAVING DISCUSSIONS WITH OUR PARTNERS ABOUT REGARDLESS OF THE LOCATION ISSUE.

KIM: THANK YOU.

MAYOR WYNN: FURTHER QUESTIONS, COMMENTS? I'M JUST TOLD THAT COUNCIL MEMBER COLE IS ON HER WAY BACK. I DON'T THINK SHE WOULD MIND ME SAYING THAT HER MOTHER FELL, AND I THINK HER MOM IS -- WAS HEADED TO THE HOSPITAL, BUT LIKELY WITH OTHER FAMILY MEMBERS AND COUNCIL MEMBER COLE IS ON HER WAY BACK AND ASKED THAT -- STALL AND NOT CALL FOR A VOTE UNTIL SHE RETURNS. FURTHER THOUGHTS OR COMMENTS? COUNCIL?

MAYOR WYNN: IF A COUNCIL MEMBER ASKS SOMEONE IN THE AUDIENCE A QUESTION THEY CAN INDEED APPROACH THE DAIS, BUT ONCE WE'VE -- [INAUDIBLE]

COUNCIL MEMBER KIM REQUESTED THAT YOU COME FORWARD. [APPLAUSE]

WOULD YOU LIKE TO SAY SOMETHING TO US?

YES. COUNCIL, MAYOR, WHAT A PROCESS, HUH? DEMOCRACY IN ACTION, AND I'M GRATEFUL FOR IT. ON THE ISSUE THAT COUNCIL MEMBER MCCrackEN BROUGHT UP

ON THE -- A SATELLITE OR PRIMARY ADOPTION FACILITY IN EAST AUSTIN, IT APPEARS AT FIRST BLUSH TO BE A GOOD COMPROMISE. BUT LET ME TELL YOU WHAT CONCERNS ME AND I THINK MOST OF THE POASM IN THIS..... PEOPLE IN THIS ROOM AND I THINK MOST OF THE VOTERS IN AUSTIN. THE PROBLEM WITH THAT IS THAT ONE, THE OPERATING BUDGET OF THE TOWN LAKE ANIMAL CENTER IS ALREADY \$4.8 MILLION. WE'RE PRETTY MUCH OFF THE CHARTS AS FAR AS ANIMAL SHELTER OPERATION BUDGETS GO, AND I AM SKEPTICAL THAT -- THAT GIVEN THE HIGH COST THAT WE HAVE IN OPERATING OUR SHELTER RIGHT NOW, THAT TWO CENTERS ARE ACTUALLY GOING TO COME TO FRUITION. IF WE START ACTING A LITTLE MORE SMART IN OUR OPERATION, THAT MAY COME TO BE, BUT IT CONCERNS ME TO SAY, WELL, AT 4.8 FOR A POPULATION OF JUST OVER 700,000, BY COMPARISON TO PHILADELPHIA, PLAITION OF... -- PLAININGS OF 1.5 MILLION, AN OPERATING BUDGET OF \$2.9 MILLION AND THEY'VE DROPPED THEIR KILL RATE TO 40%. [APPLAUSE] SO, YOU KNOW, YOU CAN TALK ABOUT TWO CENTERS AND TWO FACILITIES, BUT UNLESS WE HAVE BETTER EFFECTIVE MANAGEMENT IT AIN'T GOING TO HAPPEN. SO THE OTHER THING I WANT TO SAY ABOUT THAT IS -- AND I APPRECIATE THE BRAINSTORMING HERE, BUT I AM TELLING YOU, THE RESIDENTS OF EAST AUSTIN DON'T WANT AN ANIMAL SHELTER, AND WHAT THE PROBLEM IS WITH YOUR -- WITH YOUR SOLUTION AND YOUR PROPOSED COMPROMISE IS ONCE AGAIN WEST AUSTIN GETS THE ANIMAL SHELTER AND EAST AUSTIN GETS THE KILLING FACILITY. SO, YOU KNOW, THAT'S -- THAT'S A PROBLEM. I THINK ONE OF THESE DAYS, YOU KNOW, LET'S STOP DUMPING ON EAST AUSTIN, AND LET'S LISTEN TO THE PEOPLE EAST AND WEST, NORTH AND SOUTH, AND REBUILD THE SHELTER WHERE IT IS AND LISTEN TO THE NEIGHBORHOODS THAT ELECTED YOU. THE NEIGHBORHOOD PLANNING PROCESS FOR THESE PEOPLE IN EAST AUSTIN HAS TOTALLY BEEN IGNORED, AND MAYOR WYNN, WITH ALL DUE RESPECT WHEN YOU WENT THROUGH THE WHOLE LITANY OF THE WHOLE PAINSTAKING PROCESS OF THE BOND PROCESS, AND IT WAS A LENGTHY PROCESS AND I'M GRATEFUL FOR THOSE PEOPLE THAT SERVED, INCLUDING YOU AND ALL THAT YOU DID, TRULY GRATEFUL FOR THAT, I'M A LAWYER, AND I WANTED -- AND WE'RE HERE TO TALK

ABOUT THE LOCATION OF THE ANIMAL SHELTER, AND WHILE YOU WERE GOING ON ABOUT ALL -- THAT ENTIRE PROCESS I REALLY WANTED TO MAKE AN OBJECTION BASED ON RELEVANCY. YOU KNOW, THE ISSUE HERE TODAY IS WHERE THE SHELTER IS GOING, AND IT HAS NEVER BEEN ADDRESSED PUBLICLY UNTIL NOW. WE'VE GOT CONCERNS ABOUT THE DUAL FACILITY. I IMPLORE YOU TO LISTEN, PLEASE LISTEN TO THE NEIGHBORHOODS. THANK YOU.

MAYOR WYNN: THANK YOU. [APPLAUSE]

MAYOR WYNN: COMMENTS, COUNCIL? QUESTIONS OF STAFF? MOTIONS? MAYOR PRO TEM?

DUNKERLEY: MOTION?

MAYOR WYNN: MOTION.

DUNKERLEY: MAYOR, I WOULD LIKE TO MAKE A MOTION AT THIS TIME. I MOVE THAT WE APPROVE A RESOLUTION DESIGNATING THE HEALTH AND HUMAN SERVICES CAMPUS ON LEMANDER LOOP AS THE LOCATION FOR THE NEW ANIMAL SHELTER, AND THAT WE DIRECT THE CITY MANAGER TO PROCEED WITH PLANNING FOR THE FACILITY.

MAYOR WYNN: MOTION BY MAYOR PRO TEM DESIGNATING THE HEALTH DEPARTMENT CAMPUS AS THE LOCATION FOR THE SHELTER, THAT I WILL SECOND. COUNCIL MEMBER KIM?

KIM: I'VE LISTENED TO THE STAFF PRESENTATION TODAY AND I RECEIVED BACKGROUND AS THIS HAS BEEN PROGRESSING, AND I WAS OPEN TO DELAYING IT, GETTING MORE INFORMATION, AND -- BUT I FEEL THAT WHAT WE HAVE TONIGHT IS SUFFICIENT TO MAKE A DECISION. SO I REALLY APPRECIATE EVERYONE WHO IS SO DEDICATED TO HELPING ANIMALS, EVERYONE ON BOTH SIDES OF THIS ISSUE. SOME OF YOU FOSTER ANIMALS, SOME OF YOU WALK ANIMALS TO GET THEM EXERCISE WHEN THEY'RE AT THE SHELTER AND SOME OF YOU DONATE TO ANIMAL CAUSES, AND AUSTIN IS TRULY A GREAT PLACE TO HAVE -- HAVE ANIMALS AS PART OF OUR HOUSEHOLDS. AND SO THERE ARE 96,000 HOUSEHOLDS WHO HAVE DOGS, AND SO -- AND I DON'T KNOW HOW MANY HAVE CATS, BUT THERE ARE A PART OF

WHAT MAKES AUSTIN SPECIAL, IS THE COMPASSION OF THIS COMMUNITY THAT'S CLEAR HERE TONIGHT. I'VE LOOKED AT ALL THE INFORMATION AND GIVEN THIS A LOT OF THOUGHT, AND I REALLY STRONGLY SUPPORT THE CURRENT SITE'S USE AS AN ADOPTION CENTER, FUTURE USE AS A RECREATION SPACE AS SOMETHING THAT MAYOR PRO TEM OUTLINED, BUT I BELIEVE THAT THAT'S THE BEST COMPROMISE WE CAN COME UP WITH AS USING THE EXISTING SITE AS AN ADOPTION CENTER AND MR. LURIE TALKED ABOUT SOME OF THE THINGS WE CAN DO TO MAKE SURE THAT ANYONE IN AUSTIN CAN LOOK AT THE ANIMALS REGARDLESS OF WHETHER -- BUT I'VE BENEFIT TO THE SITE. IT IS ACCESSIBLE AND THERE WILL BE MANY ROUTES TO GO TO THE NEW SITE ON THE LANDER LOOP AND ALSO BE ABLE TO INCLUDE AFFORDABLE HOUSING AND IT WILL BE A DESTINATION FOR A LOT OF PEOPLE TO VISIT THE ANIMALS WITH WONDERFUL PARK SPACE AND I THINK IT WILL BE SOMETHING THAT THE COMMUNITY, ALL OF US CAN REALLY APPRECIATE AND COME TO LOVE. SO I KNOW THIS IS A VERY EMOTIONAL ISSUE FOR EVERYONE, BUT I THINK THAT WE NEED TO PUT A CLOSURE TO THIS AND SO WITH THAT I'M GOING TO SUPPORT THE MOTION.

MAYOR WYNN: FURTHER COMMENTS? COUNCIL MEMBER LEFFINGWELL?

LEFFINGWELL: I WOULD JUST -- I THINK WE NEED TO ADD FORMALLY A FRIENDLY AMENDMENT SAYING THAT THE TOWN LAKE SITE WILL REMAIN OPEN AS AN ADOPTION CENTER, SO I'D LIKE TO OFFER,000 AS A FRIENDLY.....,000 --THAT AS A FRIENDLY AMENDMENT TO MAYOR PRO TEM'S MOTION.

THAT'S FINE. IT MAY BE OUR FIRST SATELLITE CENTER IF WE CAN CONTINUE TO HAVE THE FUNDS TO CONTINUE THE EXPANSION.

MAYOR WYNN: YOU MEAN THE ACTUAL DAVENPORT BUILDING, THAT IS THE NEWER BUILDING THAT -- SOUTHWEST PORTION OF THE EXISTING FACILITY. SO WE HAVE AN AMENDED MOTION AND SECOND ON THE TABLE. THAT IS DESIGNATING THE HEALTH DEPARTMENT CAMPUS AS THE SITE -- DIRECTING CITY MANAGER TO MOVE

FORWARD WITH THE PLANNING FOR THE HEALTH DEPARTMENT CAMPUS TO BE THE SITE FOR THE NEW SHELTER. ALSO INSTRUCTING HER TO MOVE FORWARD WITH THE PLANNING AND THE PROCESS WHEREBY THE -- WHAT WE CALL THE DAVENPORT BUILDING AT THE EXISTING FACILITY REMAIN OPEN AS -- AND LEASE AN -- AS AN ADDITIONAL ADOPTION FACILITY. I ALSO AS THE SECOND -- I DON'T KNOW IF I CAN DO THIS OR NOT, MR. SMITH, BUT I'D LIKE FOR US ALSO, AS THE COUNCIL TAKES THIS ACTION, TO DIRECT THE CITY MANAGER TO THEN START PLANNING FOR - - AFTER THE DEMOLITION OF THE EXISTING 50 SOME ODD-YEAR-OLD SHELTER FACILITY THERE ALONG LADY BIRD LAKE, THAT WE STATE OUR INTENT FOR THAT NOT ONLY TO REMAIN DEDICATED PARKLAND, WHICH IS GOING TO BE THE CASE REGARDLESS, BUT THAT WE ASK THE CITY MANAGER TO WORK WITH OUR PARTNERS AT WEST AUSTIN YOUTH ASSOCIATION AND IDENTIFY EXPANDED UTAH EXPAND -- EXPANDED YOUTH FACILITIES FOR THAT LAND, EITHER ADDITIONAL YOUTH BALL FACILITIES OR WORST CASE IS SOME ADDITIONAL PARKING FOR THOSE FAMILIES WHO USE THOSE FACILITIES. MR. SMITH --

THE MAKER OF THE MOTION CONTROLS THE MOTION, SO IT WOULD BE SENT FROM THE MAKER AND THE SECOND, BUT AS FAR AS THE POSTING LANGUAGE GOES, I THINK THAT COULD BE ADDED TO THE MOTION UNDER THE POSTING LANGUAGE WE HAVE.

MAYOR PRO TEM WOULD YOU ACCEPT THAT AS A FRIENDLY AMENDMENT?

DUNKERLEY: ABSOLUTELY.

MAYOR WYNN: SO WE HAVE -- BEFORE WE CAST THIS VOTE I WANT TO RECOGNIZE AND THANK COUNCIL MEMBER COLE. YOU DIDN'T NEED TO COME BACK. WE RECOGNIZE YOU HAD A MUCH MORE IMPORTANT --

COLE: WELL, YOU MADE MY CELL PHONE RING WHEN YOU ANNOUNCED MY MOTHER HAD AN EMERGENCY. A FEW CALLS COMING IN ON MY PHONE, SO IT..... CELL PHONE, SO IT WASN'T VERY QUIET IN THE EMERGENCY ROOM.

MAYOR WYNN: YOUR MOM?

COLE: SHE'S IN THE EMERGENCY ROOM. SHE'S GOING TO BE OKAY.

MAYOR WYNN: THANK YOU. WE APPRECIATE HER AND YOU AND YOUR PRESENCE HERE. SO WE HAVE AN AMENDED MOTION, A SECOND ON THE TABLE, AS OUTLINED. FURTHER COMMENTS? COUNCIL MEMBER MARTINEZ?

MARTINEZ: THANKS, MAYOR. I WANT TO PUBLICLY STATE THAT I'M NOT GOING TO BE VOTING FOR THE MOTION, BUT I THINK THAT SOME GREAT IDEAS WERE THROWN OUT, BUT WHAT I THINK WE SAW WAS WE DON'T HAVE THE ANSWERS. WE HAD ANOTHER STAFF MEMBER COME UP AND SAY, YEAH, I THINK THAT COULD WORK. I THINK WE OWE IT TO OUR TAXPAYERS, WE OWE IT TO OURSELVES, WE OWE IT TO THE CITIZENS TO MAKE SURE THAT WE HAVE DEFINITIVE ANSWERS TO THE QUESTIONS. I WAS GIVEN A PRETTY DEFINITIVE LIST TODAY, FINALLY, AND I APPRECIATE THAT. BUT THAT'S NOT ENOUGH. WE -- YOU KNOW, WE NEED TO DETERMINE WHETHER OR NOT THIS FRIENDLY AMENDMENT OF CREATING AN ADOPTION SHELTER IS REALLY FEASIBLE. IS IT ACTUALLY DOABLE? ARE WE GOING TO BE BUSING ANIMALS BACK AND FORTH EVERY DAY TO ADOPT THEM OUT? I MEAN, THESE ARE BASIC QUESTIONS THAT I DON'T THINK ANY OF US HAVE REALLY THOUGHT ABOUT. WE'VE THROWN THIS AMENDMENT OUT. SO WHAT I'M ASKING IS FOR YOU TO CONSIDER TAKING THE NECESSARY TIME TO ANSWER ALL OF THESE QUESTIONS, ESPECIALLY TO THE AMENDMENTS THAT HAVE JUST BEEN ADDED. IF YOU WANT TO VOTE UP OR DOWN OR MOVING THIS THING TO LEVANDER LOOP, THEN I THINK IT'S PRETTY CLEAR, STAFF HAS GONE THROUGH THE PROCESS AND THEY'VE DONE THEIR DUE DILIGENCE OVER THE LAST YEAR AND A HALF PRESENTING THAT, BUT EVEN WITH THAT THIS IS NOT FROM ME -- FIRST OF ALL, IT'S NOT EMOTIONAL. IT'S NOT ABOUT WHETHER OR NOT WE NEED AN ANIMAL SHELTER. I THINK WE'RE ALL IN AGREEMENT THAT THAT'S WHAT WE NEED. THAT'S WHY WE'RE HERE. BUT IT'S ABOUT WHETHER OR NOT THE PROCESS IS RIGHT THAT GOT US TO THIS POINT. AND WHETHER OR NOT WE ARE MAKING THE DECISION WITH ALL OF THE INFORMATION AT HAND. I DON'T THINK WE ARE. I

THINK THAT -- [APPLAUSE] BUT THE OTHER -- THE OTHER POINT THAT I WANT TO MAKE REAL CLEAR IS WE'RE NOT DONE. THIS IS STILL GOING TO HAVE TO GO TO PLANNING COMMISSION AND POTENTIALLY BACK HERE AGAIN FOR A CONDITIONAL USE PERMIT, AND I'M GOING TO CONTINUE TO KEEP RAISING THESE QUESTIONS UNTIL I GET SOME ANSWERS AS TO WHY EVERY SITE THAT WAS EVEN CONSIDERED WAS CONSIDERED IN EAST AUSTIN. I CAN POINT TO BUTLER PARK RIGHT ACROSS THE RIVER, IT'S A BEAUTIFUL LITTLE PARK, BUT IT'S PLENTY BIG ENOUGH TO BUILD WHATEVER WE NEED. WE USE PARKLAND ON THIS SIDE OF THE LAKE. WHY CAN'T WE USE PARKLAND ON THE OTHER SIDE OF THE LAKE. WHY CAN'T WE AT LEAST CONSIDER IT AND TALK ABOUT IT. [CHEERING] [APPLAUSE] WE HAVE AN ANIMAL ADVISORY COMMISSION THAT'S GIVEN US A RECOMMENDATION TO NOT MOVE THIS SHELTER AT THIS CURRENT TIME. WE HAVE ENOUGH INFORMATION, I BELIEVE, IN FRONT OF US TO CONSIDER OTHER OPTIONS, AND SO THAT'S WHAT I'M ASKING THIS COUNCIL TO DO, IS CONSIDER THOSE OPTIONS BEFORE WE MOVE FORWARD WITH PUTTING THIS ON LEVANDER LOOP IN EAST AUSTIN. [CHEERING AND APPLAUSE]

MAYOR WYNN: COUNCIL MEMBER LEFFINGWELL? [CHEERING AND. [APPLAUSE]].APPLAUSE.

MAYOR WYNN: COUNCIL MEMBER LEFFINGWELL, PLEASE?

LEFFINGWELL: JUST IN ONE OF YOUR COMMENTS, COUNCIL MEMBER MARTINEZ, ABOUT IT BEING FEASIBLE OR NOT ACCORDING TO STAFF'S STATEMENT TO KEEP THE ADOPTION CENTER OPEN AT TOWN LAKE. THE FRIENDLY AMENDMENT THAT I MADE AND THAT WAS ACCEPTED WAS THAT IS A CONDITION OF THE APPROVAL OF THE LEVANDER LOOP SITE. SO IF IT CAN'T BE DONE, THEN THE MOTION IS NOT VALID, IT WOULD HAVE TO COME BACK HERE.... HERE.

MAYOR WYNN: AGAIN, WE HAVE AN AMENDED MOTION AND SECOND ON THE TABLE. FURTHER COMMENTS? COUNCIL MEMBER MCCRACKEN?

MCCRACKEN: MAYOR, I THINK IT WOULD BE HELPFUL TO CONSIDER THIS PROCESS ISSUE, WHICH -- WE RECEIVED AN

EMAIL, ALL OF US, FROM THE CHAIRMAN OF THE OUTREACH CHAIR OF THE LAST BOND ELECTION ADVISORY COMMITTEE. ALSO A EASTBOUND MEMBER OF THE BOND ELECTION -- FACILITIES SUBCOMMITTEE AND HE WRITES, I WANT TO OFFER SOME BACKGROUND ON OUR CONSIDERATION OF THE ANIMAL SHELTER. ONE, THE BEAC RECOMMENDATION WAS THAT A NEW SHULTER BE BUILT AT THE HHS CAMPUS ON LEVANDER LOOP. THIS IS DUE TO WHAT AT THE TIME WAS A MINIMUM \$4.2 MILLION COST DIFFERENCE BETWEEN THIS PROPOSED NEW FACILITY AND A REBUILT FACILITY AT THE CURRENT SITE. I UNDERSTAND THAT THE CURRENT ESTIMATES THE RELATIVE COSTS ARE DIFFERENT DUE TO CHANGES IN THE TOWN LAKE FLOODPLAIN. 2, WE WERE ORIGINALLY PRESENTED BY STAFF IN THE ORIGINAL NEEDS ASSESSMENT WITH AN ESTIMATE OF REBUILDING THE TOWN LAKE SHELTER. WE RAISED THE QUESTION OF COST AND AT THAT TIME WERE PRESENTED WITH DETAILS OF THE ALTERNATIVE SCENARIO AT LEVANDER LOOP. IN OTHER WORDS STAFF DID NOT ASK US TO CONSIDER THE LEVANDER LOOP LOCATION. WE ASKED THEM TO DO SO. 3, WE TOOK NO POSITION ON THE POLICY MERITS OR DISADVANTAGES OF EITHER LOCATION. OUR ANALYSIS RESTS ON THE ASSUMPTION OF IDENTICAL PROGRAMMING, SERVICE DELIVERY AND SUBSTANTIAL SIMILAR FACILITIES AT EITHER LOCATION. WE WERE NOT PRESENTED BY STAFF OR CITIZENS APPEARING BEFORE THE COMMITTEE OR SUBCOMMITTEE WITH ARGUMENTS FOR A SPECIFIC LOCATION OTHER THAN THOSE REGARDING COST, WHICH IS NOTED ORIGINATED WITHIN THE DEAC. 5, WHILE WE WERE SURPRISED AT HOW LITTLE PUBLIC FEEDBACK WE RECEIVED REGARDING THE ANIMAL SHELTER, WE DID HAVE CITIZENS SPEAK TO THE ISSUE BOTH AT THE FACILITY SUBCOMMITTEE AND BEFORE THE FULL BEAC. AGAIN, THIS INPUT WAS SOLELY REGARDING WHETHER OR NOT TO INCLUDE THE ANIMAL SHELTER AT ALL IN OUR RECOMMENDATION, NOT WHERE IT SHOULD BE LOCATED. 6, WE DID NOT CONSIDER ANY SCENARIOS FOR FUTURE USE OF THE TURNT TLAC SITE, EITHER BY THE CITY OR OTHERS SHOULD A NEW ANIMAL SHELTER BE BUILT ELSEWHERE. THE DECISION FROM A POLICY PERSPECTIVE AS TO WHERE THE ANIMAL SHELTER SHOULD BE LOCATED IS OF COURSE ONE THAT ONLY THE COUNCIL CAN AND SHOULD MAKE AFTER WEIGHING PROS

AND CONS OF BOTH SIDE. I CAN SAY WITH CERTAINTY THE FACTS WE WERE RECOMMENDING -- I CAN SAY WITH CERTAINTY THAT THE FACTS WE WERE RECOMMENDING THE ANIMAL SHELTER BE MOVED WAS AS PUBLIC AS ANY OTHER RECOMMENDATION FROM THE BEAC, AND WAS DISCUSSED AS PART OF OUR OPEN OUTREACH PROCESS THAT INCORPORATED INPUT, AS YOU KNOW, FROM MORE THAN 1,000 CITIZENS. THAT INCLUDES THE EMAIL FROM THE CHAIRMAN OF THE PUBLIC OUTREACH SUBCOMMITTEE AND THE BOND ELECTION ADVISORY COMMITTEE, WHO WAS THE ALSO THE SUBCOMMITTEE. I FOUND THAT PERSUASIVE, THAT THERE WAS AN EXTENSIVE PUBLIC PROCESS THAT -- I THINK COUNCIL MEMBER LEFFINGWELL'S FRIENDLY AMENDMENT IS VERY CRITICAL FOR MY OWN SUPPORT AS WELL. I THINK IT'S A GREAT IDEA THAT, YOU KNOW, WE'RE BIG CITY AND WE DON'T HAVE JUST ONE PLACE, AND SO -- AND ALSO I THINK THAT WE ARE HEARING AN INCONSISTENT ARGUMENT THAT THE ANIMAL SHELTER IS GREAT IN WEST AUSTIN BUT IT'S PUNISHMENT TO EAST AUSTIN TO HAVE AN ANIMAL SHELTER WHEN IT'S SUPPOSEDLY GREAT FOR WEST AUSTIN. IT'S EITHER GREAT IN BOTH PLACES OR IT'S BAD IN BOTH PLACES. I THINK IT'S GREAT IN BOTH PLACES. [APPLAUSE] SO I DON'T THINK IT'S A CURSE THAT ONE PART OF THE CITY OR ANOTHER IS GETTING AN ANIMAL SHELTER. I THINK THAT'S A GREAT DEAL. A LOT OF PARTS OF THE CITY WOULD BENEFIT FROM HAVING MORE ACCESS TO ANIMAL FACILITY. I HOPE ONE OF THE POSITIVE OUT GROWTHS OF EVERYBODY IN THIS ROOM'S EFFORTS IS WE'LL SEE MORE OF A BRANCH LIBRARY MODEL ENSUE IN THE FUTURE, AND I THINK THAT REALLY IS A RILT OF THE EFFORTS OF EVERYBODY IN THIS ROOM ON BOTH SIDES THAT WE'RE SEEING A SHIFT IN THINKING THAT WASN'T THERE BEFORE ALL YOUR EFFORTS COMBINED. SO THANKS VERY MUCH. [APPLAUSE]

MAYOR WYNN: COUNCIL MEMBER? FURTHER COMMENTS? MOTION AND SECOND ON THE TABLE AS AMENDED. HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

MAYOR WYNN: AYE. OPPOSED? MOTION PASSES ON A VOTE OF 6-1 WITH COUNCIL MEMBER MARTINEZ VOTING NO.

THANK YOU ALL VERY MUCH. [CHEERING AND. [APPLAUSE]
[BOOING]

MAYOR WYNN: I APPRECIATE EVERYBODY'S PATIENCE AS WE NOW GO BACK TO OUR ZONING CASES. IF THE FOLKS WOULD BE KIND ENOUGH TO TAKE YOUR CONVERSATIONS OUT IN THE FOYER, WE'D APPRECIATE IT. WE HAVE A LOT MORE BUSINESS TO TAKE CARE OF TONIGHT. WELCOME BACK, MR. GUERNSEY.

GUERNSEY: THANK YOU, MAYOR AND COUNCIL. I HAVE A POSTPONEMENT REQUEST. ITEM 109, 110 AND 111, THE FOLKS FROM UNIVERSITY HILLS ASKED IF WE COULD POSTPONE THEM ONE WEEK. SOME OF THOSE THAT WERE HERE WERE ELDERLY AND HAD DIFFICULTY DRIVING LATER IN THE EVENING.

MAYOR WYNN: FAIR ENOUGH.

GUERNSEY: AND GIVEN THAT YOU HAVE A LENGTHY ZONING CASE COMING BEFORE YOU ON ENCLOSURES, THEY ASKED YOUR INDULGENCE IF YOU WOULD GRANT THEM A POSTPONEMENT. WE SAW NO REASON TO OPPOSE ANY SORT OF POSTPONEMENT ON THIS. SO ON 109, 110 AND 111, THESE ARE CASES DEALING WITH THE UNIVERSITY HILLS NEIGHBORHOOD PLAN AND ASSOCIATED ZONING FOR TRACTS 202, 220 AND 220 A, LOCATED ON ED BLUESTEIN AND LAY 'OL A LINE. STAFF REQUESTS A POSTPONEMENT ON 109, 110 AND 111 FOR ONE WEEK.

MAYOR WYNN: I'LL ENTERTAIN THAT MOTION. MOTION MADE BY COUNCIL MEMBER MCCRACKEN, SECKED BY COUNCIL MEMBER KIM TO POSTPONE ITEMS 109, 110 AND 111 FOR ONE WEEK TO OCTOBER 18, 2007. FURTHER COMMENTS? HEARING NONE ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

MAYOR WYNN: AYE. OPPOSED? MOTION TO POSTPONE PASSES ON A VEET OF 6-0, WITH COUNCIL MEMBER COLE OFF THE DAIS.

GUERNSEY: MAYOR AND COUNCIL, THANK YOU VERY MUCH.

THEY GREAT DEAL GREATLY APPRECIATE THAT BECAUSE THEY DIDN'T KNOW HOW LONG A NIGHT WOULD BE. NEXT ITEM IS NO. 99, THIS THIS IS CASE C14, 2007, 0067, THIS THIS IS THE CLOS SO. ON PROPERTY LOCATED AT 3607 AND 3608. THIS IS A ZONING REQUEST, SF-3 DISTRICT ZONING TO MULTIFAMILY RESIDENCE LOW DENSITY, CONDITIONAL OVERLAY OR MF-2 C OO. COMBINED DISTRICT ZONING. A PLANNING COMMISSION FORWARDED THIS REQUEST TO YOU WITHOUT A RECOMMENDATION. THE INITIAL MOTION WAS FOR THE STAFF RECOMMENDATION OF SF-6 ZONING, WHICH IS THE TOWNHOUSE CONDOMINIUM RESIDENCE DISTRICT ZONING AND THAT FAILED ON A MOTION OF 3-4. MEANING 5 VOTES TO CONTINUE THE MOTION. A SECOND MOTION TO DENY THE ZONING REQUEST TO MAINTAIN THE SF-3 ALSO FAILED ON A VOTE OF 4-3, AGAIN PLANNING COMMISSION NEEDING A FAVORABLE VOTE OF 5 VOTES TO MAKE THE MOTION PASS. WE DO HAVE A VALID PETITION ON THIS PROPERTY REPRESENTED BY 39% OF THE LAND ADJACENT TO THIS PROPERTY WITHIN 200 FEET, TO KEEP THE PROPERTY ZONED SF-3. COPIES OF THE PETITION IN YOUR BACKUP BUT THEY NOTED THAT WHERE THE PROPERTY IS LOCATED ON HILLY NARROW STREETS OF CLOSSON THERE'S CONCERNS ABOUT TRAFFIC, ISSUES ABOUT STREET TOPOGRAPHY AND DRAINAGE CONSEQUENTLY NEIGHBORHOODS IN THE AREA THOUGHT THAT IT WAS NOT APPROPRIATE. AGAIN THE STAFF RECOMMENDS WAS FOR TOWNHOUSE CONDOMINIUM RESIDENCE DISTRICT ZONING. THE PROPERTY RIGHT NOW IS SURROUNDED ON TWO SIDES BY MULTIFAMILY TO THE NORTH AND TO THE WEST. THE PROPERTY TO THE SOUTH, IMMEDIATELY TO THE SOUTH IS SINGLE-FAMILY, AND SF-3. TO THE EAST IS SF-3, SINGLE-FAMILY AND ALSO SF-6, THE TOWNHOUSE CONDOMINIUM FOR AN UNDEVELOPED TRACT. FURTHER TO THE NORTH ARE SOME APARTMENTS THAT AS I MENTIONED, MF-2, AND SF-3 SF. AND IT'S LOCATED IN THE BOWL BOWL INDEPENDENT CREEK WATERSHED. WE'VE BEEN WORKING WITH THE NEIGHBORHOODS IN THIS AREA AND WE'RE GETTING CLOSE TO RESTARTING THE REPLANNING PROCESS. THERE WERE A COUPLE DIFFERENT DRAFTS OF THE NEIGHBORHOOD PLAN THAT WERE COMING FORWARD. THEY INDICATED THIS PROPERTY BEING SF-3. I WILL NOTE -- OR I SHOULD SAY SINGLE-FAMILY. I WILL NOTE

THAT WE DID DISCOVER A MAP DURING THIS PROCESS WHEN IT WAS ORIGINALLY FILED. LOOKING AT OUR ZONING MAPS, THEY WERE DETERMINED THAT THE PROPERTY WAS MF-2 TO THE SOUTH. WE HAVE CORRECTED THAT. THE NEIGHBORHOOD IS AWARE OF THAT. THE PROPERTY OWNERS ARE AWARE OF THAT AND I WANT TO BRING THAT TO YOUR ATTENTION BECAUSE YOU MAY HEAR THAT THE PROPERTY WAS SHOWN ON CITY MAPS INADVERTENTLY AS MF-2 ORIGINALLY. I THINK AT THIS TIME I'LL PAUSE. THE APPLICANT IS HERE. THERE ARE SEVERAL NEIGHBORHOOD REPRESENTATIVES HERE THIS EVENING THAT WOULD LIKE TO SPEAK TO THIS CASE. IT IS ONLY READY FOR FIRST READING TONIGHT.

MAYOR WYNN: THANK YOU, MR. GUERNSEY, AND I'LL NOTE THAT COUNCIL MEMBER COLE IS OFF THE DAIS FOR THE REST OF THE EVENING, THIS BEING A VALID PETITION CASE I THINK IT'S STILL APPROPRIATE FOR US IF WE CAN CONDUCT A PUBLIC HEARING AND EVEN IF WE WERE TO TAKE ACTION ON FIRST READING, MY UNDERSTANDING IS FROM LEGAL ADVICE IT WOULDN'T YET TRIGGER THE SUPER MAJORITY REQUIRED FOR ACTION. THANK YOU, MR. GUERNSEY, SO WITH THAT WE WILL TAKE UP THE APPLICANT PRESENTATION. OUR AGO, MR. RICHARD SUTTLE. RICHARD, YOU KNOW WE SET THE CLOCK FOR FIVE MINUTES. OPENING PRESENTATION, AND THEN WE HEAR FROM FOLKS IN SUPPORT OF THE ZONING CASE. 3 MINUTES A POP. THERE MINUTES FOR FOLKS IN OPPOSITION AND YOU HAVE REBUTTAL.

THANK YOU. MY NAME IS RICHARD SUTTLE. I'M HERE ON BEHALF OF THE APPLICANT TONIGHT. WE'LL TRY TO KEEP OUR PRESENTATION BRIEF FOR YOU. THIS IS A CASE THAT YOU'VE GOT THREE AMBITIOUS -- MY CLIENTS, THREE AMBITIOUS MEN THAT WANT TO BRING SOMETHING UNUSUAL IN A CASE TO YOU, AND THAT IS -- IT'S A CASE WHERE THEY'RE ASKING TO ACTUALLY DO URBAN INFILL MULTIFAMILY BUT ALSO INCLUDE ALL THE BENEFITS THAT SOMETIMES WE PICK ONE OR TWO FROM. THEY WANT TO PARTICIPATE IN THE SMART HOUSING PROGRAM, THEY WANT TO SUSTAIN A TWO-STAR GREEN BUILDING, THE TWO-STAR PLUS GREEN BUILDING, AND THEY WANT TO PARTICIPATE AND IMPLEMENT THE WATER CONSERVATION

PLANS. AND TONIGHT WE'RE OFFERING THOSE AS PUBLIC BENEFITS FOR A SLIGHT INCREASE OF DENSITY OVER WHAT COULD BE THERE TONIGHT. THE CASE -- WE'RE ASKING FOR MF-2 DENSITY OR MF-2 ZONING BECAUSE THE SITE DEVELOPMENT REGULATIONS WILL ALLOW FLEXIBILITY IN THE SITE PLANNING. THIS TRACT IS HEAVILY WOODED, AS YOU CAN SEE. IT IS -- AS YOU KNOW, THIS TRACT IS ONE OF THE FEW THAT IS WEST OF I-35 AND NORTH OF BEN WHITE THAT IS GOING TO PARTICIPATE IN THE SMART HOUSING PROGRAM. IT'S HEAVILY WOODED. IT'S GOING TO REQUIRE A CREATIVE WAY, THE SITE PLAN OF MF-2 ZONING ALLOWS THAT BECAUSE YOU CAN DO YOUR SMALLER FOOTPRINTS, PARK UNDER SOME OF THE BUILDINGS, DECREASE YOUR IMPERVIOUS COVER, HANDLE YOUR WATER QUALITY AND DRAINAGE THROUGH NATURAL PONDING INSTEAD OF STRUCTURES. THE SITE IS SURROUNDED ON MOST SIDES BY MULTIFAMILY. IF YOU TAKE A LOOK AT THE MAP YOU'VE GOT APARTMENTS ESSENTIALLY ON THREE SIDES AND THEN ACROSS THE STREET YOU'VE GOT SF-6, BUT IT'S A UNIQUE SITE THAT, IN FACT, THE DENSITY IS ACTUALLY HIGHER THAN SF-6. UNBUILT BUT IT WILL BE HIGHER. WE FELT THAT THIS WAS AN APPROPRIATE LAND USE HERE BECAUSE WE'RE WILLING TO CAP THE TRIPS. WE'VE HEARD THAT THE TRAFFIC ON CLAWSON IS THE ISSUE, AND YOU OFTENTIMES HEAR WE DON'T HAVE TO DO A TIA BECAUSE WE'RE ONLY LIMITED -- WE'RE GOING LESS THAN 2,000 TRIPS. WELL, THIS TRACT, INSTEAD OF LIMITING THE NUMBER OF UNITS AND KIND OF CREATING A WAY WHERE YOU CAN'T PICK ONE BEDROOM, TO BEDROOM, THREE BEDROOM, BECAUSE AS YOU KNOW THAT'S A GAME YOU PLAY ON THE UNITS. RATHER THAN DO ALL THAT WE'RE CAPPING THE TRIPS ON THIS SITE TO 300. 300 TRIPS, HONESTLY, ON THIS SITE, WILL EQUATE TO ROUGHLY 40 UNITS ON IT. BUT THE KEY IS 300 TRIPS CAP, WHAT THAT EQUATES TO IS APPROXIMATELY 100 MORE TRIPS PER 24-HOUR DAY THAT YOU COULD DO UNDER THE CURRENT ZONING OR WHAT THE CITY STAFF IS RECOMMENDING, AND IT'S REALLY ONLY ABOUT EIGHT PEAK HOUR TRIPS OVER WHAT THE STAFF IS RECOMMENDING. SO WE FELT THAT THE TRADE-OFF FOR INFILL AND A FEW MORE UNITS AND DENSITY WOULD UNABLE ENABLE YOU TO DO A PROJECT WHERE FAMILIES COULD AFFORD TO BUY THESE, BY THE WAY, THESE ARE FOR SALE -- FAMILIES COULD

AFFORD TO LIVE THERE. THEY CAN BE IN A TWO-STAR GREEN BUILDING PROGRAM. THEY CAN HAVE THE WATER CONSERVATION MEASURES THAT THE TASK FORCE HAS RECOMMENDED THAT EVERYBODY WANTS THE WHOLE CITY TO GO TO, AND IT CAN BE A SMART HOUSING PROJECT. THE - - THERE IS A NUMBER OF PROTECTED AND HERITAGE TREES ON THIS SITE. THE DOLORS ARE..... DOLE DEVELOPERS ARE MAKING EVERY EFFORT TO SAVE ALL THESE TREES. I THINK WE'RE DOWN TO LOSING MAYBE A FEW OF THE PROTECTED TREES BUT NONE OF THE HERITAGE TREES. THAT'S PARTLY A RESULT OF THE FLEXIBILITY THAT MF-2 ALLOWS ON THE SITE PLANNING OF THIS. THE -- AS YOU HEAR -- AS WE GO THROUGH THE PUBLIC HEARING AND WE HEAR ABOUT THE TRAFFIC BEING AN ISSUE, REMEMBER THAT AS PART OF THIS WE WILL BE DEAD INDICATING RIGHT-OF-WAY ON CLAWSON, WHICH MANY OF THE CASES ALONG CLAWSON HAVE ALREADY HAD TO DO BECAUSE IN SOMEBODY'S MIND, I THINK PROBABLY IN PUBLIC WORKS OR PLANNING, AT SOME POINT YOU CAN SEE WHERE THE RIGHT-OF-WAY LINE JOGS, AND AT SOME POINT SOMEBODY IS GOING TO BESIDEN CLAWSON. IN THE INTERIM IF WE CAN WORK WITH STAFFER..... STAFF OR WORK WITH YOU, IF THERE'S AN IMPROVEMENT THAT CAN BE MADE TO THIS PROPERTY AND MAKE THE PROJECT THERE, SUCH AS STRIPING OR SIGNAGE TO MAKE THE PROPERTY SAFER WE'LL BE HAPPY TO DO THAT. SO TONIGHT WE'RE URGING THAT YOU APPROVE ON FIRST READING ONLY THIS EXCITING PROJECT THAT WILL HIT THE GOALS OF THE PUBLIC BENEFITS -- ALL OF THE GOALS OF PUBLIC BENEFITS THAT I'VE SEEN IN CASES, AND HOPE THAT WE CAN GET YOUR SUPPORT FOR THAT. WITH THAT I'LL BE HAPPY TO ANSWER ANY QUESTIONS THAT YOU MIGHT HAVE.

MAYOR WYNN: THANK YOU, MR. SUBTLE. QUESTIONS FOR THE AGENT? COUNCIL MEMBER MARTINEZ?

MARTINEZ: MR. SUBTLE, DO YOU HAVE A TOPO IMAGE -- OR MAYBE AN ELEVATION VIEW OF THE ACTUAL PROPERTY IN QUESTION? I WANTED TO SEE WHICH -- I KNOW THERE'S A STEEP HILL GRADE AND I WANTED TO SEE WHERE IT HITS BETWEEN YOUR TWO DRIVEWAYS TO MAYBE CONSIDER A ONE-WAY DRIVEWAY, YOU KNOW, WHERE IT'S -- SO THAT --

IN ALL OF OUR DOCUMENTS I DON'T THINK WE HAVE A TOPOGRAPHIC SHOT, BUT IF -- BUT IF, IN FACT, A ONE-WAY DRIVEWAY WOULD MAKE IT SAFER ON CLAWSON, I THINK THAT'S SOMETHING THAT WE COULD CONSIDER.

MARTINEZ: WHEN I DROVE OUT THERE ON CLAWSON ROAD IT'S GOT THE LITTLE CURVE RIGHT BEFORE, ON THE NORTHERN SIDE, AND THEN IT DROPS DOWN ON A HILL THERE. AND SO JUST LOOKING AT YOUR SITE PLAN THE WAY YOU HAVE JUST TWO ENTRANCES, WHICH I THINK MINIMIZES, YOU KNOW, A LOT OF TRAFFIC COMING IN AND OUT OF MULTIPLE LOCATIONS, I WANTED TO SEE IF WE COULD CONSIDER JUST A ONE-WAY IN AND OUT TO TRY TO MITIGATE SOME OF THAT -- THE RISK OF HAVING A CAR ACCIDENT, BECAUSE I THINK COMING OVER THAT HILL, DEPENDING ON -- I DON'T EVEN REMEMBER WHAT THE SPEED LIMIT IS, BUT IT COULD BE A POTENTIAL HAZARD WITH CARS COMING IN AND OUT OF THERE.

YES, SIR, STOWBT CITY STAFF AND THEIR REVIEW I THINK WE COULD SURE DO THAT. INTERESTING WHEN YOU RAISE THE ISSUE ON TRAFFIC AND ACCIDENTS, ACCORDING TO A TRAFFIC COUNT THAT'S BEEN DONE, THE CLAWSON TRAFFIC TODAY IS APPROXIMATELY THE SAME AS IT WAS IN 1984, AND ACCORDING TO THE APD COLLISION DATABASE THAT WE CHECKED TO SEE ABOUT ACCIDENTS ON CLAWSON, THERE'S BEEN NO MAJOR ACCIDENTS IN THE LAST SEVEN YEARS, ACCORDING TO THEIR DATABASE. THERE'S BEEN THREE MINOR ACCIDENTS IN THE FIRST NINE MONTHS OF 2007 VERSUS AN AVERAGE OF 3.42 A YEAR OVER THE LAST SEVEN. SO WE FELT COMFORTABLE, THESE GUYS WOULDN'T WANT TO PUT HOUSING ON AN UNSAFE STREET. AND WE'LL BE HAPPY TO LOOK AT ANY OTHER OPTIONS THAT YOU MIGHT THINK WOULD BE APPROPRIATE.

MAYOR WYNN: FURTHER QUESTIONS FOR OUR AGENT? COMMENTS? IF NOT, WE WILL HEAR FROM FOLKS WHO ARE IN FAVOR OF THE ZONING CASE. LET'S SEE. IS JAMES BARNETT HERE? WELCOME, MR. BARNETT.

I'LL TELL YOU WHAT, WE'LL CUT IT OFF AND MOVE ON.

MAYOR WYNN: I SHOW JAMES BARNETT IN FAVOR OF THE

ZONING AS IS BRAD SCHUBERT, JAY DUPONT AND LYNN CARLIE. SO NOW WE'LL GO TO FOLKS WHO ARE IN OPPOSITION TO THE ZONING CASE. OUR FIRST SPEAKER IS LORRAINEETTEER TON, SIGNED UP SPEAKING IN OPPOSITION. WE'LL NOTE THAT. BRIAN KEEN SIGNED UP. YOU BET YOU. SO BOB, WELCOME. AND LET'S SEE, IS LINDA THOMPSON STILL HERE? LINDA, WELCOME. JEFF JACKS SIGNED UP WANTING TO DONATE TIME TO YOU. I DON'T SEE MR. JACK. HOW ABOUT IS DAVID KOBOWISKI. SORRY IF I MISPRONOUNCE THAT, DAVID? SIGNED UP WISHING TO DONATE. HOW ABOUT GARDNER SUMNER. OKAY. SO [INAUDIBLE]

MAYOR WYNN: FAIR ENOUGH. SO THAT WOULD BE SIX MINUTES, BOB. OKAY. SO WELCOME. YOU'LL HAVE SIX MINUTES.

NINE MINUTES.

MAYOR WYNN: SORRY?

I THOUGHT IT WAS THREE MINUTES APIECE.

MAYOR WYNN: YES, SIR. WHO ELSE IS DONATING TIME.

MYSELF.

MAYOR WYNN: I'M SORRY, YOU'RE RIGHT. 9. I APOLOGIZE. THANK YOU, MATT.

AND I HOPE THEY PASSED OUT HANDOUTS, AND THERE WAS ONE LOOSE SHEET WHICH IS A LETTER OF OPPOSITION. THERE ARE A NUMBER OF LETTERS IN OPPOSITION FROM NEIGHBORS THAT COULDN'T MAKE IT TONIGHT, AND I HOPE YOU'LL HAVE TIME TO LOOK AT THOSE. ON PAGE 1 OF THE HANDOUT, WHICH ARE NUMBERED IN THE UPPER RIGHT-HAND CORNER, IS A SUMMARY OF THE REASONS THAT WE FEEL THE ZONING REQUEST SHOULD BE DENIED, AND I'M NOT GOING TO DWELL ON THESE NOW BUT COME BACK AT THE END, AND IF SOMEBODY COULD PROMPT ME WHEN THERE'S ABOUT TWO MINUTES LEFT I WOULD APPRECIATE IT. THERE ARE MANY REASONS WHY THIS ZONING COULD BE DENIED, ANY OF WHICH SHOULD BE SUFFICIENT FOR THE

DENIAL. IT INCLUDES THE FACT THAT IT'S COMPLETELY CONTRARY TO THE NEIGHBORHOOD PLANNING THAT WE'VE DONE SO FAR. IT'S INAPPROPRIATE BECAUSE OF THE TRAFFIC PROBLEMS ON CLAWSON AND BECAUSE OF THE DRAINAGE PROBLEMS ON CLAWSON, BECAUSE IT'S FEASIBLE TO DO A VERY NICE DEVELOPMENT UNDER THE SF-3 ZONING THAT'S PRESENTLY IN PLACE, AND BECAUSE WE HAVE ALMOST OVERWHELMING OPPOSITION FROM THE SF-3 NEIGHBORS IN THE AREA IN A VALID PETITION, AND BECAUSE DESPITE THE MISTAKEN STAFF IDENTIFICATION OF THE PROPERTY AS MF-3, WE STILL ACHIEVE A 4-3 PLURALITY TO SUPPORT THE SF-3 AT THE PLANNING COMMISSION.

GOING TO PAGE 2, WHAT IS A POPULATION DENSITY TREND CHART. THIS IS BASED ON DATA THAT WE GOT FROM RYAN ROBINSON, THE CITY DEMOGRAPHER THAT WE'VE BEEN WANTING TO USE IN OUR NEIGHBORHOOD PLANNING PROCESS. THE POINTS I'D LIKE TO MAKE FROM THIS CHART ARE THAT THE SOUTH LAMAR NEIGHBORHOOD DENSITY IS ALREADY ABOUT TWICE THE DENSITY OF THE CITY AS A WHOLE, AND WE'RE GROWING MORE RAPIDLY THAN THE CITY AS A WHOLE. AND OUR PROJECTIONS ARE THAT SIMPLY THROUGH INFILL OF THE EXISTING CORE OF THE NEIGHBORHOOD WITH THE EXISTING SF-3 ZONING, NO UP ZONING, AS WELL AS THE VMU AND MIXED USE ON THE PERIPHERY OF OUR NEIGHBORHOOD, WE'RE ON TRACK TO SURPASS THE GOAL THAT SID GALINDO SET FOR THE INITIATIVE WITHIN TEN YEARS, 20 YEARS SOONER THAN THE CITY AS A HOLD. SO OUR NEIGHBORHOOD HAS ALREADY EMBRACED DENSITY AND WE'RE DOING OUR SHARE TO SUPPORT DENSITY ON -- ON THE PERIPHERY OF THE NEIGHBORHOOD, BUT WE DO NOT FEEL THAT WE SHOULD HAVE TO UNDERGO UP-ZONING ON THE INTERIOR BECAUSE WE'RE ALREADY HAVING A LOT OF DENSITY INCREASE ON THE INTERIOR TO INFILL AT THE EXISTING ZONING LEVEL.

GOING TO THE THIRD SLIDE IS OUR NEIGHBORHOOD FLUM DRAFT MAP. I WOULD LIKE TO POINT OUT ALL OF THE LARGE ORANGE PROPERTIES WHICH ARE MULTIFAMILY THAT WE HAVE ALREADY IN OUR NEIGHBORHOOD. WE'RE NOT SHORT ON MULTIFAMILY. 53% OF OUR HOUSING IS ALREADY MULTIFAMILY COMPARED TO ONLY A LITTLE OVER 40% FOR THE CITY AS A WHOLE. SO WE DO NOT NEED ADDITIONAL MULTIFAMILY ZONING IN OUR NEIGHBORHOOD. NOTICE ALL

THE RED AROUND THE PERIPHERY. THOSE ARE OPPORTUNITIES FOR MIXED USE AND VERTICAL MIXED USE DENSITY GROWTH ON THE PERIPHERY OF THE NEIGHBORHOOD. OUR NEIGHBORHOOD PLAN ENVISIONS IT IN THE CORE OF THE NEIGHBORHOOD, WHICH IS THE YELLOW AREA, WHICH ENCOMPASSES CLAWSON ROAD, THAT WE WANTED TO PRESERVE THAT SINGLE-FAMILY ZONING. AND THIS TRACT IS ABSOLUTELY CRUCIAL. IT'S A LINCHPIN TRACT IN THE MIDDLE OF CLAWSON. IF WE'RE NOT ABLE TO PRESERVE THE SINGLE-FAMILY ZONING HERE, WE'RE PROBABLY NOT GOING TO BE ABLE TO PRESERVE IT ANYWHERE WITHIN OUR NEIGHBORHOOD AND OUR WHOLE NEIGHBORHOOD PLAN WILL BE SHOT DOWN. NOTE THE LARGE YELLOW TRACTS. THE FACT THAT THEY'RE LARGE MEANS THAT IN MANY CASES THEY'RE VERY UNDERDEVELOPED. A LOT OF THEM JUST HAVE A SINGLE SINGLE-FAMILY HOME ON THEM. THE LAND IS BEING BOUGHT. THOSE HOMES ARE BEING REPLACED BY DID.... DUPLEXES. THAT'S WHY WE'RE GETTING A LARGE POPULATION GROWTH WITHOUT ANY UP ZONING. THE LAST SLIDE --

I'M SORRY, I'LL STOP THE CLOCK. COULD YOU POINT OUT THE SITE, THE SUBJECT SITE AGAIN ON THE --

IF YOU LOOK AT NO. 22, THAT'S APPROXIMATELY NEAR WHERE THEIR SITE IS. NO. 22 AND THE TWO TRACTS SOUTH OF THAT, I BELIEVE.

MAYOR WYNN: THANK YOU VERY MUCH.

IF YOU GO TO THE SLIDE -- MY SLIDE 4, WHICH HAS A LOT OF GREEN COLORING ON IT, THEIR TRACT IS DARKLY OUTLINED THERE. ALL THE GREEN-COLORED TRACTS ARE PRESENTLY ZONED SF-3 THE KIND OF YELLOW GREEN TRACT IS THE ONE THAT CONTROVERSIALLY MISSED ZONE, AND DESPITE THAT MISSED ZONING THE PLANNING COMMISSION VOTED 4-3 TO PRESERVE SINGLE-FAMILY ZONING. THE PURPLE TRACTS TO THE IMMEDIATE NORTH HAS A RESTRICTIVE COVENANT ON IT. IT'S VAIKD LAND AND WILL HAVE TO REMAIN VACANT LAND. IT'S ESSENTIALLY THE SAME AS IF IT WAS SF-3. I WOULD LIKE TO POINT OUT THAT THERE HAS BEEN NO RECENT CLAWSON UP ZONING SINCE THE 1980S, AND WHEN

NO -- NO MF ZONING GRANTED SINCE THE 1980S, AND IN THE 1980S WHEN THE PROPERTIES THAT YOU SEE HERE IS MF WERE ZONED, IT WAS VERY CONTROVERSIAL BECAUSE EVEN THEN CLAWSON WAS A BADLY TRAFFICKED STREET AND ALL OF THESE MF PROPERTIES HAD BEEN DENIED ACCESS TO CLAWSON BECAUSE OF THAT FACT WITH THE ONE EXCEPTION OF THE SMALL APARTMENT UNIT SOMEWHAT TO THE NORTH OF THE SUBJECT TRACT. THEY HAVE GATED DRIVEWAYS, WHICH ARE ONLY ACCESSIBLE TO FIRE VEHICLES IN THE EVENT OF AN EMERGENCY. BUT IT'S NOT POSSIBLE TO DENY CLAWSON ACCESS TO THIS TRACT SO IT WOULD BE COMPLETELY INAPPROPRIATE TO GIVE THEM MF ZONING. ALSO NOTE AT THE TOP OF THIS SLIDE THE RED CROSSHATCHED DUAL INDRIVE SUBDIVISION AREA. THIS IS AN EXAMPLE OF HOW ATTRACT OF THEIR SIZE, AND THESE TWO TRACTS ARE ABOUT THE SAME SIZE, COULD BE FEASIBLY DEVELOPED AS SF-3. THE DEVELOPERS HAD TOLD US IT WOULD BE INFEASIBLE BUT THAT'S SIMPLY INCORRECT. IF YOU GO TO THE NEXT SLIDE, 5, THIS IS AN ILLUSTRATION OF THE TRAFFIC ON CLAWSON. THE LOWER LINE IS THE DESIRABLE LEVEL OF TRAFFIC ON A NEIGHBORHOOD COLLECTOR STREET OF LESS THAN 30 FEET WIDTH. [INAUDIBLE]

OUR PRESENT TRAFFIC LEVEL IS ABOUT 250% OF THE DESIRABLE LEVEL, AND SO THAT'S ANOTHER REASON NOT TO DO THE ZONING. NO. 6 SLIDE SHOWS WHAT CLAWSON ROAD LOOKS LIKE. AT THE TOP OF THE HILL, AS YOU GO DOWN TO THE RIGHT YOU'D BE --

BOB, YOU HAVE TWO MINUTES LEFT.

YOU'D BE GOING IN FRONT OF THEIR PROPERTY. THERE ARE SEVERE VISIBILITY ISSUES. THE PEOPLE THAT WOULD BE EXITING FROM THE LEFT AND TRYING TO TURN LEFT CAN'T SEE TO MAKE THE TURN AND THEY'VE BEEN TOLD IF THEY DON'T COMPLETE THEIR TURN IN FOUR SECONDS, THAT THEY WOULD BE IMPACTED. YOU CAN SEE BELOW WHAT IT LOOKS LIKE COMING FROM THE BOTTOM OF THE HILL. NEXT SLIGHT, NO. 7, BECAUSE OF THE LIMITED SITE, CROSSING THE ROAD IS EXTREMELY UNSAFE. THIS IS WHAT IT WOULD LOOK LIKE COMING OUT OF THEIR PROPERTY TRYING TO TURN LEFT. IT DOESN'T MAKE ANY SENSE TO PUT DENSER

UNITS THAN THE PRESENT ZONING WOULD SUSTAIN ON A STREET LIKE THIS. THERE HAVE BEEN FATAL ACCIDENTS ON THIS STREET. PEOPLE HAVE BEEN KILLED AND MANY OF THE LETTERS AT THE REAR OF THE PACKET WILL GO TO THAT. THE NEXT SLIDE SHOWS THE DRAINAGE PROBLEMS, WATER PUDDLING IN THE ROAD AND EROSION. ON SLIDE 8. SLIDE 9 ARE THREE BLIND ALLEYS THAT THE DEVELOPER SENT US REASONS WHY IT WOULDN'T BE REASONABLE TO DO THE DEVELOPMENT. I'LL SKIP OVER SLIDE 10. SLIDE 11 SHOWS HOW THE DEVELOPMENT COULD BE DONE FEASIBLY WITH A DULIN DRIVE TYPE SUBDIVISION, AND USING THEIR TREE SURVEY WE SAVED ABOUT HALF THE TOTAL TREES AND ALL THE SIGNIFICANT TREES. SLIDE 12 SHOWS THE DEVELOPERS PLAN THAT THEY PRESENTED TO OUR NEIGHBORHOOD FOR A 28-UNIT TWO-STORY, TWO-UNIT PROPERTIES. THEY ONLY SAVED HALF OF THE SIGNIFICANT TREES AND ABOUT A SIXTH OF THE TOTAL TREES. SLIDE 13 SHOWS THE COMPARATIVE UNIT COUNTS THAT YOU COULD GET UNDER SF-3, SF-6 AND MF-2. THE BOTTOM LINE IS THAT BECAUSE OF THE SITE DEVELOPMENT RESTRICTIONS YOU COULD REALLY ONLY DO ABOUT 8 DUPLEXES OR UNITS SF-3, MUCH LESS THAN YOU COULD DO UNDER SF-6 AND MUCH LESS THAN UNDER MF-2. IF YOU GO TO SLIDE 15, THIS IS THE VALLEY PETITION MAP AND YOU CAN ALL THE GREEN AREAS ARE THE LOCATIONS OF THE PEOPLE THAT SIGNED THE VALID PETITION. I WOULD ASK YOU TO RESPECT THE VALID PETITIONERS. I WOULD ASK YOU TO RESPECT OUR NEIGHBORHOOD PLAN BECAUSE IT WILL BE LISTENING TO HOW YOU VOTE, AND IF YOU SAY THAT OUR NEIGHBORHOOD PLAN CANNOT BE HONORED IN A CASE LIKE THIS, IT RAISES SERIOUS QUESTIONS ABOUT WHY WE'RE FOOLING AROUND WITH THE NEIGHBORHOOD PLANNING PROCESS. THIS IS THE WEAKEST ZONING CASE THAT I'VE SEEN COME BEFORE OUR NEIGHBORHOOD. IT WAS SO MUCH BAGGAGE ON TRAFFIC, DRAINAGE AND CONTRARY TO THE NEIGHBORHOOD PLAN, WE WOULD ASK YOU TO DENY THE ZONING.

MAYOR WYNN: THANK YOU, BOB. SO RYAN, DO YOU WANT TO BE NEXT? ANTONIO GONZALES, WELCOME. AND ANDY TAYLOR HERE? ANTONIO, YOU'LL HAVE THREE MINUTES. WELCOME.

THANK YOU, MAYOR, COUNCIL MEMBERS, ACM, CITY

ATTORNEY. THE APPLICANT IS REQUESTING MF-2 ZONING BECAUSE THE TRACT IS SURROUNDED BY MF-2 ZONED PROPERTIES AND THEY WANT TO BE CONSISTENT WITH THEIR NEIGHBORS. NEIGHBORS. THERE IS ONLY ONE MF-2 PROPERTY THAT IS CONSISTENT WITH THEIR TRACT THAT HAS FRONTAGE AND ACCESS TO CLAWSON ROAD. THAT ZONING CASE WAS APPROVED IN 1972. AS PART OF THAT ZONING PROCESS THE PLANNING COMMISSION CHAIR, MR. CINSER, WHO MOVED FOR THE MOTION TO BE APPROVED, STAYED THAT..... STATED THAT DESPITE INADEQUATE STREET FACILITIES WE SHOULD NOT DENY THE ZONING BECAUSE IT WOULD BE UNFAIR TO THE DEVELOPER. I WOULD LIKE YOU TO NOTE THAT THE INADEQUATE STREET FACILITY AS MR. CINSER WAS REFERENCING WAS THE EXACT SAME ROAD TODAY. IT HASN'T CHANGED. THE SAME ROADWAY. EVERY OTHER MF-2 PROPERTY THAT HAS FRONTAGE ON CLAWSON HAS ACTUAL ACCESS ON ANOTHER STREET AND EMERGENCY ONLY ACCESS TO CLAWSON. THE STAFF BASIS FOR THE SF-6 ZONING RELIES ON THREE POINTS. ONE, THE SF-6 PROPERTY ACROSS CLAWSON THAT SUPPOSEDLY RESEMBLES THE TRACT, BUT THERE'S A PROBLEM THERE. THERE'S TWO DIFFERENT ISSUES. THAT PROPERTY HAS ACCESS TO BOTH CLAWSON AND ROCK DALE CIRCLE AND IT IS LIMITED, I BELIEVE MR. SUBTLE SAID IT WAS A HIGHER DENSITY BUT IT'S LOWER, 8.42 UNITS PER ACRE, WHICH IS MORE CONSISTENT WITH SF-3 ZONING. THE SECOND BASIS FOR THE SF-6 RECOMMENDATION IS THAT IT'S CREATING A TRANSITION BETWEEN THE MULTIFAMILY ZONING AND THE SF-3 ZONING. IT'S ACTUALLY GOING TO BE LOCATED BETWEEN MF-2 ZONING AND SF-3 ZONING, BUT IT'S GOING TO BE ELIMINATING EXISTING SF-3 ZONING AND USES. THE THIRD POSITION IS THAT SF-6 ZONING IS APPROPRIATE IN AN AREA WITH LARGE LOTS THAT FRONT A STREET OTHER THAN A MINOR RESIDENTIAL STREET. CLAWSON IS CLASSIFIED AS A COLLECTOR AND FUNCTIONS AS A COLLECTOR, BUT ITS PAVEMENT IS APPROXIMATELY 25 FEET WIDTH, WHICH IS MUCH LESS THAN MOST MINOR RESIDENTIAL STREETS. WE BELIEVE THIS WAS AN ISSUE THAT WAS OVERLOOKED IN THE STAFF RECOMMENDATION AND SHOULD HAVE BEEN TAKEN INTO CONSIDERATION FOR THE FOLLOWING REASONS. THE DESIRABLE LEVEL FOR A STREET WITH PAVEMENT WIDTH OF

25 OR 30 OR LESS FEET IS 1200 VEHICLE TRIPS PER DAY. THE JANUARY 22, 2003 TRAFFIC COUNT ON CLAWSON WAS 2,536 TRIPS. THAT'S MORE THAN DOUBLE THE DESIRABLE OPERATING LEVEL. THE APPLICANT AGREED TO LIMIT DEVELOPMENT TO 300 TRIPS PER DAY, NOT MUCH OF AN AGREEMENT SINCE THEY COULDN'T GET ENOUGH UNITS TO MUCH EXCEED THAT ANYWAY. HOWEVER AN INCREASE OF 300 TRIPS WHEN YOU ALREADY HAVE A SITUATION WHERE THE OPERATING LEVEL IS ALREADY BEING EXCEEDED BY MORE THAN DOUBLE IS NOT A GOOD THING. IN ADDITION, WE ARE CONCERNED THAT THIS WILL SET A PRECEDENT AND ENCOURAGE OTHER LANDOWNERS IN THE AREA TO REQUEST SF-6 AND MF-2, AND SECTION 256141 A OF THE LDC STATES THAT THE COUNCIL MAY DENY AN APPLICATION IF THE TIA, WE DON'T HAVE IT BUT WE KNOW THE TRAFFIC COUNT -- DEMONSTRATES THAT THE DEVELOPMENT WILL OVERBURDEN THE STREET SYSTEM. IF I MAY HAVE A COUPLE SECONDS JUST TO CLOSE OUT.

MAYOR WYNN: JUST TO CONCLUDE, PLEASE.

THANK YOU. WE HAVE MULTIPLE STATEMENTS, AND IF YOU WOULD LOOK AT PAGES 49, 50 AND 51 OF YOUR SUPPORT MATERIAL, FROM STAFF, PLANNING COMMISSION AND EVEN AGENTS, EXTENDING ALL THE WAY BACK TO 1970, THAT ACKNOWLEDGE THE CLAWSON ROAD WAS AND IS NOT CAPABLE OF HANDLING SIGNIFICANT AMOUNTS OF TRAFFIC. DESPITE THAT, IN '72 AND EARLY '80S WE HAD A COUPLE CASES APPROVED BUT SINCE THEN EVERYTHING HAS BEEN LIMITED TO EMERGENCY ACCESS. OUR HOPE TONIGHT IS THAT THE COUNCIL WILL NOT ONLY ACKNOWLEDGE THAT THIS FACT EXISTS BUT THAT THEY WOULD USE THIS TO SUPPORT THEIR DECISION TO DENY THE REQUESTED MF-2 ZONING AND THE ALTERNATE SF-6 RECOMMENDATION BY STAFF. I'D BE HAPPY TO ANSWER ANY QUESTIONS YOU MAY HAVE AND IF NOT THANK YOU FOR YOUR TIME.

MAYOR WYNN: THANK YOU, MR. GONZALES. WHO WANTS TO BE NEXT? OSCAR? WELCOME.

THANK YOU, COUNCIL, BRIAN KING. I'M HERE AS A MEMBER OF THE SOUTH LAMAR NEIGHBORHOOD ASSOCIATION, ALSO A MEMBER OF THE LEADERSHIP TEAM, THE PRECURSOR TO

THE PLAN TEAM FOR OUR NEIGHBORHOOD PLAN. FIRST OFF I'D LIKE YOU TO KNOW THAT I LIVE CLOSE TO THE SITE, LESS THAN A QUARTER OF A MILE. TRAFFIC IS AN HUGE ISSUE. WE CALL THAT ROAD ROLLER COASTER ROAD. IF YOU'VE DRIVEN DOWN IT, COUNCIL MEMBER MARTINEZ SAID HE WAS OVER TO VISIT THE SITE. IT'S A ROLLER COASTER. I CAN TESTIFY TO THE SERIOUSNESS OF THIS BECAUSE I HAD AN ACURA UPSTAIRS UPSIDE DOWN WEDNESDAY NIGHT SHE HAD TO CRAWL OUT AND ELMS HAULED HER OFF EMS HAULED HER OFF. IT'S A CUT THROUGH BETWEEN LAMAR AND BEN WHITE. WHEN YOU CUT OFF, CLAWSON IS THE CUT THROUGH STREET TO GET THROUGH OUR NEIGHBORHOOD. ALSO BE AWARE THAT PLANNING COMMISSION DID SEND THIS TO YOU WITH A MAJORITY VOTE TO LEAVE THIS AT SF-3. DIDN'T PASS THE TEST OF 5 TO BRING THE RECOMMENDATION HERE BUT THE MAJORITY WAS LEAVE SF-3. MF-2 FAILED, SF-6 FAILED. THE MAJORITY VOTE WAS LEAVE IT AT SF-3. AS A MEMBER OF THE PLAN TEAM WE'VE GONE THROUGH MANY FLUM ITERATIONS LOOKING AT THE NEIGHBORHOOD. OUR PROCESS HAS STALLED OUT BUT WE DEVELOPED THE THREE PRIMARY FLUMS. WE HAVEN'T AGREED ON THEM YET, BUT WHAT'S COMMON ON ALL THREE FLUMS IS THEY ALL AGREE THE SITE SHOULD REMAIN SINGLE-FAMILY. THE AREA OF THAT NEIGHBORHOOD IS SINGLE-FAMILY. ALL OF THE MF-2 PROPERTY THAT FRONTS CLAWSON DOES NOT TAKE ACCESS FROM CLAWSON. IT TAKES ACCESS FROM THE ROADS ON THE OPPOSITE SIDES OF THAT PROPERTY. SO MF-2 IS NOT THE NATURE OR CHARACTER OF THAT. THE SF-6..... SF-6 PROPERTY THAT'S ACROSS THE STREET IS UNDEVELOPED. IT HAS ISSUES. WE'LL SEE WHERE IT GOES. SURROUNDING IT, SF-3. SO OUR DESIRE IS TO LEAVE IT AS SF-3. IT CAN BE DEVELOPED. MR. THOMPSON'S SITE PLAN INDICATED, WITH A HUGE INCREASE IN DENSITY. THE ONLY TWO HOUSES ON THESE THREE LOTS NOW, AND IT CAN GO UP MANY, MANY, MANY FOLD, SO EXCEPTING DENSITY WE WANT TO DEVELOP IT SF-3 SITE DEVELOPMENT GUIDELINES AND LEAVE IT ZONED AS IT IS. APPRECIATE IT IF YOU DENY THIS CASE TONIGHT AND LEAVE IT ALONE. SF-3 IS A DANDY AND WE CAN ADD SOME DENSITY IN OUR NEIGHBORHOOD. THANK YOU VERY MUCH.

MAYOR WYNN: THANK YOU, MR. KEEN. OSCAR? WOULD YOU

LIKE TO ADDRESS THIS? IS JASON LYNNCHEW HERE?

HE'S GONE.

MAYOR WYNN: THREE MINUTES, OG OSCAR.

THANK YOU. I WON'T MAKE YOU CAR SICK AGAIN. OSCAR WITH THE SOUTH LAMAR NEIGHBORHOOD ASSOCIATION. THANK YOU FOR WAITING FOR US SO LONG. I DON'T THINK I WILL USE ALL OF MY THREE MINUTES. I WILL TELL YOU THAT AT OUR LAST NEIGHBORHOOD ASSOCIATION ZONING COMMITTEE MEETING WE WERE KIDDING AMONGST OURSELVES. WE WERE THINKING, AND NOW I WILL BORROW FROM RICHARD SUTTLE'S LANGUAGE. I'LL SAY THAT THERE ARE SOME AMBITIOUS PEOPLE IN OUR NEIGHBORHOOD AS WELL, AND WE WERE THINKING THAT IF THIS ZONING GOES THROUGH, THEN YOU'RE PROBABLY GOING TO SEE ALL OF THE OFFICERS AND ZONING COMMITTEE MEMBERS OF SOUTH LAMAR NEIGHBORHOOD ASSOCIATION COME BEFORE YOU FOR UP ZONINGS. BECAUSE WE'RE GOING TO DO THE SAME THING. WE'RE GOING TO ASK FOR MF-2. THIS IS JUST LIKE BOB TOLD YOU. THIS IS THE WORST CASE IN OUR NEIGHBORHOOD, EVER. IF THIS ONE GOES THROUGH, THEN WE'RE ALL GOING TO COME BEFORE YOU AND ASK YOU FOR MF-2. MY LOT, UNDER SF-3, I HAVE ONE HOUSE, IT'S ABOUT A THIRD OF AN ACRE, AND MINE IS A SMALL ONE. MOST OF THEM ARE ONE ACRE AND TWO ACRES WITH ONE LITTLE HOUSE SITTING ON THEM. SO I'M JUST REMINDING YOU, WE ARE DOING OUR PART OF THE INFILL THAT -- THAT THE GROWTH OF AUSTIN REQUIRES US, ALL OF US, TO PARTAKE IN, TO SHARE IN. AND JUST WITH THE NORMAL INFILL UNDER EXISTING ZONING, WE'RE GOING TO DOUBLE AND TRIPLE. SO I WILL REMIND YOU THAT WE ARE -- OUR NEIGHBORHOODS AFFORDED VMU. WE WANT TO CONTRIBUTE. WE WANT TO DO OUR SHARE. WE DO. WE DO BELIEVE IN IT, BUT WE WANT IT IN THE CORE. WE WANT THE DENSITY TO BE CONCENTRATED ON THE CORE TRANSIT CORRIDORS. WE'RE ASKING YOU TO PLEASE RESPECT THE NEIGHBORHOOD'S VISION FOR ITSELF AND LEAVE THE SF-3 IN THE MIDDLE WHERE IT'S SUPPOSED TO BE. THANK YOU SO MUCH.

MAYOR WYNN: OSCAR? ALSO NOTE THAT KEVIN LEWIS

SIGNED UP NOT WISHING TO SPEAK, ALSO IN OPPOSITION. SO COUNCIL, THAT'S ALL OF OUR FOLKS WHO SIGNED UP IN OPPOSITION. MR. SUTTLE NOW GETS A THREE-MINUTE REBUTTAL. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS.]

WHAT THIS PLAN REPRESENTS IS ESSENTIALLY A 100 TRIP INCREMENTALLY, 100 MORE TRIPS THAN YOU COULD DO UNDER THE LOWER DENSITY THAT HAS BEEN SUGGESTED AND REALLY ONLY EIGHT MORE TRIPS OF THE PEAK HOUR TRIPS ALONG CLAWSON. AS WE COME THROUGH, WE WILL BE ASKED AND WILL GLADLY DEDICATE RIGHT-OF-WAY ALONG CLAWSON AS HAVE MANY OF THE PROPERTY OWNERS ALONG THERE IN SOMEBODY'S PLAN, LAW CLAWSON WILL -- CLAWSON WILL ULTIMATELY BE EXPANDED. WITH THAT I THINK I'LL CLOSE AND BE HAPPY TO ANSWER ANY QUESTIONS.

Mayor Wynn: GOES MR. SUTTLE OR ANYBODY ELSE?
COUNCILMEMBER KIM.

Kim: MR. SUTTLE, THIS PHOTO HERE THAT THE NEIGHBORHOOD PRESENTED TO WUSS THE BUSH, THESE TREES IN THE ROAD, WHOSE PROPERTY IS THAT? BECAUSE IT LOOKS LIKE IT'S THE RIGHT-OF-WAY AND SEEMS TO BE BLOCKING THE VIEW AS CARS ARE COMING AROUND.

I DON'T KNOW WHOSE IT IS, BUT I CAN ASSURE IN OUR PLAN DOING THE DRIVEWAY, WE'LL MAKE SURE THAT THE SIGHT DISTANCES ARE ADEQUATE AND NOT OBSTRUCTED BY THE VEGETATION. AND WITH COUNCILMEMBER MARTINEZ'S SUGGESTION THAT WE LOOK FOR A ONE WAY IN AND OUT, WE CAN CERTAINLY DO THE LANDSCAPE THRU TO MAKE IT A SAFE APPROACH INGRESS AND EGRESS.

Kim: IT LOOKS LIKE THERE MAY SOMEBODY PROBLEMS WITH THIS ROAD AND THIS ABILITY -- IF IT'S SOMEBODY'S PRIVATE PROPERTY, PUBLIC WORKS NEEDS TO TAKE A LOOK AT IT TODAY BECAUSE IT LOOKS LIKE IT'S A HAZARD RIGHT NOW. SO MS. HUFFMAN CAN SOMEONE TAKE A LOOK AT THIS AND THIS IS SOMETHING WE CAN PROBABLY TAKE CARE OF RIGHT AWAY. I WAS JUST WONDER IF YOU KNEW WHOSE

PROPERTY IT WAS.

I DON'T. WE CAN CERTAINLY DO THAT. IF IT'S SOMETHING THAT WE CAN CONTROL OR HAVE OUR NEIGHBORS DO, WE CAN DO OR WE CAN HAVE THE CITY LOOK AT IT AS WELL.

Kim: AND TELL US WHAT YOU'RE DOING ABOUT SMART HOUSING WITH THIS PROPERTY.

UNTIL A COUPLE OF WEEKS AGO WE WERE WRESTLING A AFFORDABILITY. AND AT THE SUGGESTION OF SOME, WE WENT -- THE GUYS WENT AND VISITED WITH THE SMART HOUSING DEPARTMENT AND THEY WERE VERY RELUCTANT BECAUSE EVERYBODY WAS KIND OF AFRAID OF GETTING INTO THE SMART HOUSING PROGRAM, BUT BY THE END OF THE MEETING THEY WERE CONVINCED THAT HAD ACTUALLY IT'S A GOOD AND WORKABLE PROGRAM AND THEY'RE GOING TO PARTICIPATE IN THE SMART HOUSING PROGRAM, WHICH I BELIEVE IS 10% OF -- AND IT'S PERPETUAL. SO IT'S 10% AFFORDABILITY IN PERPETUITY.

Kim: OKAY. THANK YOU.

Mayor Wynn: FURTHER QUESTIONS, COMMENTS? MAYOR PRO TEM.

Dunkerley: REALLY THIS IS FOR THE STAFF. I THINK IN ADDITION TO THE BLIND DRIVEWAYS THAT COUNCILMEMBER KIM MENTIONED THAT THE ENTIRE ROAD IS A TWO-LANE ROAD, BUT THERE ARE A LOT OF CURVES AND A LOT OF LITTLE HILL, ETCETERA. AND I REALLY WOULD LIKE TO HAVE PUBLIC WORKS LOOK AT THAT WHOLE STRETCH FROM WHEREVER IT STARTS TURNING. IS IT'S LIGHTSEY MAYBE. AND SEE IF THEY CAN COME UP WITH SOME DIFFERENT SIGNAGE, WHETHER IT'S SIGNS FOR CURVES OR SLOW OR SOMETHING LIKE THAT UNTIL THEY CAN GET THAT PROJECT TO WIDEN THE ROAD IN THE FUTURE. JUST HAVE THEM LOOK AT THAT BEFORE WE COME BACK FOR SECOND AND THIRD READING.

Mayor Wynn: COMMENTS, QUESTIONS? COUNCILMEMBER KIM.

Kim: I'M READY TO MAKE A MOTION. I MOVE THAT WE GRANT

THE APPLICANT'S REQUEST FOR MF-2-CO WITH A LIMIT OF 300 DAILY VEHICLE TRIPS. AND THE REASON WHY I'M SUPPORTING THIS IS BECAUSE IT'S A WAY TO ALLOW FAMILIES TO BE IN AUSTIN. IT'S ONLY ABOUT 40 TO 45 UNITS. AND THE APPLICANT IS GOING TO WORK WITH US IN LOOKING AT JUST MAYBE ONE ROAD VERSUS TWO. THAT'S GOING TO MAKE IT SAFER. IT DEPENDS, OF COURSE, ON WHAT THEY DECIDE IS BEST FOR A BALANCE OF SAFETY AS WELL AS THE FEASIBILITY OF THE PROJECT. BUT I REALLY APPRECIATE YOUR WILLINGNESS TO CONSIDER THAT. AND THERE ARE -- IT'S HARDER FOR PEOPLE TO LIVE INSIDE THE CITY, TO FIND OWNERSHIP OPPORTUNITIES. I THINK THIS IS ONE THAT'S GOING TO BE GOOD FOR THE NEIGHBORHOOD IN TERMS OF FAMILIES THAT CAN LIVE THERE. AND WE JUST HAD ANOTHER CASE BEFORE US THAT HAD INVOLVED (INDISCERNIBLE). SO THERE ARE FAMILIES THAT WANT TO BE THERE AND THIS WILL ALLOW THEM TO DO THAT. PARTICIPATING IN THE SMART HOUSING PROJECT IS A GOOD THING. THERE WILL BE AFFORDABLE HOUSING IN PERPETUITY. THAT IS NOT COMMON THAT YOU WOULD SEE THAT IN PERPETUITY. AND THAT'S VERY RARE. SO I APPRECIATE YOUR DOING THAT.

Mayor Wynn: SO MOTION FROM COUNCILMEMBER KIM TO CLOSE THE PUBLIC HEARING AND APPROVE ON FIRST READING ONLY -- I'M SORRY. I GUESS THAT WOULD BE MF-2-CO. SO IT'S NOT STAFF RECOMMENDATION OR PLANNING COMMISSION RELIGIOUS. RELIGIOUS. FURTHER COMMENTS, THOUGHTS? MOTION AND A SECOND ON FIRST READING ONLY. COUNCILMEMBER LEFFINGWELL.

Leffingwell: MAYOR, THIS IS FOR STAFF. I'M SURE YOU COVERED IT AT ONE POINT. WHAT'S THE DIFFERENCE IN THE NUMBER OF UNITS BETWEEN MF 6 AND MF 2?

I DIDN'T CALCULATE IT SPECIFICALLY ON THIS PROPERTY, BUT GENERALLY DENSITY IS 12.4 UNITS PER ACRE A AND IF YOU TOOK A 50/50 MIX OF ONE BEDROOM, TWO BEDROOM APARTMENTS FOR MF-2 IT'S ABOUT 19 UNITS PER ACRE.

...

Leffingwell: ABOUT HALF THE DENSITY OF SF-12346.

IT'S MORE THAN CERTAINLY SF-6. I WOULDN'T SAY IT'S 50% MORE, BUT IT'S CLOSE TO THAT.

Leffingwell: OKAY. THANKS.

Mayor Wynn: FURTHER THOUGHTS, COMMENTS? I WILL SAY THAT I START FROM A PRETTY RELUCTANT SPOT ON THIS. I WILL RECOGNIZE THE FIRST READING NATURE OF THIS VOTE, BUT THE FUTURE LAND USE MAP OF THE INTERIOR OF THAT NEIGHBORHOOD STRIKES A BIG NERVE WITH ME FKS..... WE HAVE SEEN -- WE'VE CERTAINLY SEEN THE ZONING CASES. YOU CAN DRIVE DOWN AND SEE SOME OF THE END RESULT OF WHAT I CONSIDER TO BE, WITH ALL THINGS CONSIDERED, GOOD PERIMETER DENSIFICATION ON THIS NEIGHBORHOOD, UTILIZING THE CORE TRANSIT CORRIDOR CONCEPT. I'M RELUCTANT BECAUSE OF THE NATURE OF CLAWSON, THE STATUS. I PRESUME AT SOME POINT IT GETS EXPANDED, BUT IT HASN'T IN A LONG TIME. SO I GUESS I'LL RELUCTANTLY GO ALONG WITH THE FIRST READING VOTE, BUT I GUESS IT'S A LITTLE BIT AFTER SIGNAL WITH THE VALID PETITION THAT IT'S GOING TO HAVE TO BE A WELL THOUGHT OUT ANALYSIS TO GET MY VOTE ON THIRD READING. COUNCILMEMBER MCCRACKEN.

McCracken: YEAH. AND IN GENERAL OBVIOUSLY I SHARE THE SAME OPINION THE MAYOR DOES. I'M PERSUADED THAT THIS IS THE RIGHT WAY TO GO THAT'S BEFORE US BECAUSE IT'S RIGHT THERE AMONG A LOT OF MULTI-FAMILY. SO I THINK IT DOES SPEAK IN YES OR.....GENERAL THAT AS YOU LOOK AT THE CONTEXT WHERE THIS DEVELOPMENT IS TAKING PLACE, IT IS IN THE MID.... MIDST OF MULTI-FAMILY. I AGREE WITH THE MAYOR THAT IT WOULD NOT BE THE RIGHT TYPE OF DEVELOPMENT BECAUSE WE ARE FOCUSING DENSITY ON THE PERIMETERS. SO THIS APPEARS TO BE A POCKET OF MULTI-FAMILY. THE SECOND REASON I'M PERSUADED IS AS A MULTI-FAMILY DEVELOPMENT THIS IS AN COMPENSATION ALI HIGH QUALITY DEVELOPMENT. IT IS VERY MUCH SINGED UP WITH OUR COMMUNITY VALUES OF GREEN BUILDING, TWO STAR PLUS, SMART HOUSING. I DON'T RECALL SEEING SO MANY OF OUR COMMUNITY RALZ INCLUDED IN A SINGLE DEVELOPMENT COME BEFORE US IN A LONG TIME. SO THE

IMI.... COMBINATION THAT WHILE IN GENERAL THIS WOULD NOT BE THE RIGHT PLACE TO PUT A MULTI-FAMILY, IT IS IN THE CONTEXT OF WHERE IT IS NOW AND ALSO THE FACT THAT IT BRINGS SO MANY OF OUR COMMUNITY VALUES UP. THAT'S WHY I'M SUPPORTING THIS.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS? MR. GUERNSEY?

I WANT A CLARIFICATION. I UNDERSTOOD THE MOTION WAS MF-2, THE CONDITIONAL OVERLAY 300 TRIPS? WERE WE ALSO ACCEPTING THE OFFER BY THE APPLICANT REGARDING, I GUESS, THE TWO STAR? I'M LOOKING OVER AT THE APPLICANT. WAS IT SMART HOUSING? ALTHOUGH WE CANNOT MAKE THAT A CONDITION, WE UNDERSTAND THAT THAT'S SOMETHING THEY'RE OFFERING. AND WATER CONSERVATION?

[INAUDIBLE - NO MIC].

....

I WAS JUST GETTING CLARIFICATION THAT WAS PART OF THE MOTION, RECOGNIZING THAT SMART HOUSING IS A GESTURE, BUT IT'S NOT PART OF THE REQUIREMENT OF IT. BUT THE OTHER ITEMS WE CAN CERTAINLY WORK WITH.

Mayor Wynn: ACKNOWLEDGMENT ABOUT THE GREEN BUILDING, SMART HOUSING AND THE WATER CONSERVATION. FURSES COMMENTS, THOUGHTS? COUNCILMEMBER LEFFINGWELL.

Leffingwell: I JUST FEEL I HAVE TO SAY I'M GOING TO SUPPORT THIS JUST TO SEE WHAT HAPPENS WHEN IT COMES BACK, PRIMARILY BECAUSE OF THE GREEN BUILDING COMPONENT AND THE WATER CONSERVATION PART, BUT I'M VERY CONCERNED ABOUT THE DENSITY IN EFFECT DOUBLE WITH THE MF-2 OVER THE SF-6, WHICH WAS THE STAFF RECOMMENDATION. SO I'M GOING TO SUPPORT IT AT THIS TIME, BUT I WANT TO TAKE A VERY MUCH A CLOSER LOOK ON SUBSEQUENT READING.

Mayor Wynn: FURTHER QUESTIONS, THOUGHTS? MOTION AND

A SECOND ON THE TABLE. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION PASSES ON A VOTE OF SIX TO ZERO, FIRST READING ONLY. THANK YOU ALL. SO, MR. GUERNSEY, THAT'S THE LAST OF OUR --

THAT CONCLUDE OUR ZONING AGENDA ITEMS THIS EVENING.

Mayor Wynn: WE NOW HAVE A SERIES OF PUBLIC HEARINGS WE CAN TAKE UP, COUNCIL.

I'LL BRIEFLY DESCRIBE EACH AREA IN TURN, BUT IN GENERAL UPON ANNEXATION THE CITY WILL BEGIN PROVIDING FULL MUNICIPAL SERVICES TO EACH OF THE AREAS, INCLUDING THOSE SERVICES CURRENTLY PROVIDED BY THE COUNTY. I ALSO BROUGHT THE SERVICE PLANS FOR EACH OF THE AREAS THIS EVENING AND FOR THOSE OF YOU THAT WEREN'T ABLE TO STICK AROUND TONIGHT, I'D BE HAPPY TO PROVIDE A COPY OF THAT AS WELL N COMPLIANCE WITH STATUTORY REQUIREMENTS, THE SERVICE PLAN FOR EACH OTHER INCLUDES THREE MAIN COMPONENTS. FIRST IS THE EARLY ACTION PROGRAM, WHICH INCLUDES SERVICES THAT WILL BE PROVIDED IN THE AREA COMMENCING ON THE EFFECTIVE DATE OF ANNEXATION. SECOND, THE ADDITIONAL SERVICES SECTION INCLUDES THOSE SERVICES NOT REQUIRED BY STATE ANNEXATION LAW, BUT PROVIDED CITYWIDE. AND FINALLY THE CAPITAL IMPROVEMENTS PROGRAM IS THE SECTION WHERE WE WOULD INCLUDE THE INFORMATION ABOUT CAPITAL IMPROVEMENTS REQUIRED TO PROVIDE MUNICIPAL SERVICES TO THE AREA. ITEM NUMBER 112 IS THE BARTON CREEK GREENBELT AREA THVMENT INCLUDES APPROXIMATELY 35 ACRES AND IS LOCATE UNDERSTAND TRAVIS COUNTY AT THE SOUTHWEST CORNER OF LOOP 360 AND LOOP 1. IT INCLUDES THE REMAINING PORTION OF THE BARTON CREEK GREENBELT NOT ALREADY IN THE IT CITY'S FULL PURPOSE JURISDICTION AND CITY SERVICE DEPARTMENTS REQUESTED THIS PULL PURPOSE ANNEXATION FOR DISPATCH OF PUBLIC SERVICE AGENCIES. THIS CONCLUDES MY PRESENTATION FOR ITEM 112.

Mayor Wynn: QUESTIONS FOR STAFF, COUNCIL? COMMENTS?

ARE THERE ANY CITIZENS THAT WOULD LIKE TO ADDRESS THIS PUBLIC HEARING REGARDING THE FULL PURPOSE ANNEXATION OF THE BARTON CREEK GREENBELT AREA? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. MOTION MADE BY COUNCILMEMBER MARTINEZ, SECONDED BY COUNCILMEMBER MCCRACKEN TO CLOSE THE PUBLIC HEARING. HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPEN SND MOTION PASSES ON A VOTE OF FIVE TO ZERO WITH THE MAYOR PRO TEM AND COUNCILMEMBER COLE OFF THE DAIS.

ITEM NUMBER BE 113 IS THE MICHENER STORAGE FACILITY AREA THVMENT INCLUDES APPROXIMATELY 24 AND A HALF ACHERED AND IS LOCATE UNDERSTAND EASTERN TRAVIS COUNTY WEST OF HARRIS BRANCH PARKWAY AND NORTH OF PARMER LANE. THIS AREA IS ADJACENT TO THE FULL PURPOSE CITY LIMITS ON THE EAST SIDE. A MINI STORAGE FACILITY IS ON THIS TRACT AND PARTIALLY IN THE CITY'S FULL SERVICE JURISDICTION ALONG HARRIS BRANCH PARKWAY. THIS ANNEXATION WOULD BRING THE BALANCE OF THE TRACT INTO THE CITY'S FULL PURPOSE CITY LIMITS. IF YOU HAVE ANY QUESTIONS ON THIS ITEM I CAN ANSWER THOSE AT THIS TIME.

Mayor Wynn: COMMENTS, QUESTIONS? SO LOOKING AT THE MAP HERE, IT LOOKS LIKE THERE ARE THREE TRACT THAT ARE ALREADY IN THE FULL PURPOSE ANNEXATION?

IT'S ONE TRACT IN THE DOTTED LINE THERE. THE FRONT HALF OF THE TRACK IN THE DARKER SHADE OF GRAY IS IN THE FULL PURPOSE CITY LIMITS.

Mayor Wynn: BUT I ACTUALLY SEE WHAT I WOULD CALL FOUR TRACTS INSIDE THAT AREA.

JUST OUTDATED PARCEL NUMBERS.

Mayor Wynn: OKAY. FURTHER QUESTIONS FOR STAFF? WELL, WE DO HAVE ONE PERSON, I THINK, SIGNED UP HERE TO ADDRESS US. IT LOOKS LIKE ROBERT MICHENER. SORRY IF I'M MISPRONOUNCING THAT. APPRECIATE YOUR PATIENCE. WELCOME, SIR. YOU WILL HAVE UP TO THREE MINUTES.

MY NAME IS ROBERT MICHENER AND I'M A PARTNER IN THIS FACILITY WITH MY WIFE. AND THE REASON I'M HERE, FOR TWO REASONS. ONE IS THAT THEY SAY THAT THEY'RE ANNEXING 24.5 ACRES, BUT IN FACT FOUR AND A HALF ACRES THAT HAVE IS ALREADY IN THE CITY SO THEY'RE NOT GOING TO BE ANNEXING THAT AMOUNT OF LAND. NUMBER TWO IS THAT I DO HAVE MY OFFICES IN THE CITY OF AUSTIN, BUT THE REST OF IT IS NOT IN THE CITY OF AUSTIN. WHEN I BOUGHT THIS FACILITY, I THOUGHT I WAS GOING TO BE ABLE TO HAVE AN ADDRESS IN THE CITY OF AUSTIN BECAUSE IT'S IN THE CITY OF AUSTIN, BUT NO, I DON'T HAVE A ZIP CODE THAT'S IN THE CITY OF AUSTIN, SO NOW I'M USING AN ADDRESS OF MANOR. I AM A STORAGE FACILITY, A RETAIL FACILITY THAT NEEDS TO HAVE PEOPLE THINK THAT THEY'RE CLOSE TO MY FACILITY. AND WHEN I TELL THEM THAT I'M IN MANOR, THEY GET THE IMPRESSION THAT I'M A LONG WAYS AWAY WHEN IN FACT I MAY NOT BE THAT WAY. SO MY SECOND CONCERN IS THAT I WOULD BE WILLING TO BRING THE REST OF IT IN IF IN FACT IKTD GET AN ADDRESS THAT WAS IN THE CITY OF AUSTIN. I UNDERSTAND THAT THAT'S BASED ON THE POSTAL SYSTEM AND I DON'T KNOW WHAT -- BUT I KNOW THAT THAT AREA IS FILLING UP AND I WOULD HOPE THAT SOMEBODY WOULD PETITION TO GET A POST OFFICE OUT THAT WAY SO THAT IN FACT I COULD HAVE AN ADDRESS IN AUSTIN. BUT I DON'T REALLY SEE WHY I SHOULD BE PAYING AUSTIN CITY TAXES WHEN I CAN'T EVEN SAY THAT I'M IN THE CITY OF AUSTIN. AND QUITE FRANKLY, AS A STORAGE FACILITY, I HAVE SOME (INDISCERNIBLE) OUT THERE. AND I'M ALREADY PAYING \$214 FOR THE COUPLE OF ACHE THEARZ THEY SAY I'VE GOT OF CEMENT AND I KNOW IF THEY DO THE REST THEY'LL BE ADDING A ANOTHER THOUSAND OR MORE DOLLARS TO MY MONTHLY CHARGE. AND FOR ALL OF THAT AND I CAN'T EVEN SAY I'M IN THE CITY OF AUSTIN. SO I DON'T THINK IT'S FAIR TO BE CHARGING ME WHEN I CAN'T SAY THAT I'M PART OF AUSTIN.

Mayor Wynn: IT SURE SEEMS FAIR. TOM, WOULD YOU HAPPEN TO KNOW ANYTHING ABOUT THE DYNAMIC? WE ALL KNOW THAT THERE ARE TENS OF THOUSANDS OF FOLKS WHO DON'T LIVE INSIDE THE CITY OF AUSTIN, BUT THEY'RE MAILING ADDRESS SAY AUSTIN, ALL OF WESTLAKE HILL, FOR INSTANCE, SAYS AUSTIN, TEXAS.

BUT I HAVE TO GO AND ADVERTISE TO PEOPLE --

Mayor Wynn: NO. I APPRECIATE YOU SAYING THAT.

I TELL YOU I PUT AUSTIN ON MY ADDRESS, BUT HAD TO USE A ZIP CODE OF MANOR. WELL, NEITHER ONE OF THEM WILL DELIVER THE MAIL, SO I END UP GETTING IT BACK. I'VE EVEN HAD TAX THINGS FROM THE I.R.S. THAT THE POST OFFICE WOULDN'T MAIL THEM TO ME IF IN FACT IT SAID AUSTIN WITH A MANOR ZIP CODE. SO I'M STUCK WITH SAYING THAT I'M FROM MANOR, BUT I'M PAYING ALL OF THE AUSTIN FEES.

Mayor Wynn: I'D SURE LIKE TO SEE IF WE COULD RECTIFY THAT SITUATION. THAT SEEM ONLY FAIR. I DON'T KNOW WHAT THAT FORMAT WOULD BE, TOM, WHETHER WE COULD -- A LETTER FROM US TO THE POSTAL SERVICE OR THE LOCAL POST MASTER GENERAL.

IT STRIKES ME THAT IS WHO YOU HAVE TO TALK TO, THE U.S. POSTAL SERVICE.

IT IS A POSTAL THING, BUT I WOULD ALSO ADD THAT WITH SAMSUNG OUT THERE, THAT AREA IS GROWING EXTREMELY FAST. THERE'S LOTS MORE THINGS THAT ARE COMING ONLINE. BUT EVEN NOW I HAVE TO GO TO MANOR EVERYDAY JUST TO GO TO THE POST OFFICE. AND OF COURSE, FOR THE MANOR ONE, IT OPENS AT 9:00 O'CLOCK IN THE MORNING, CLOSES AT 4:00 O'CLOCK IN THE AFTERNOON. IT CLOSES AT -- THE MAIL PICK UP IS 9:00 O'CLOCK ON SATURDAYS. IT'S....IT'S NOT A REAL CITY POST OFFICE.

Mayor Wynn: WELL, WE APPRECIATE YOU BRINGING THIS TO OUR AWARENESS, BECAUSE I WOULDN'T HAVE GUESSED THAT HAD TO BE THE CASE.

THE OTHER THING IS YOU DON'T HAVE THE ACREAGE RIGHT EITHER.

Mayor Wynn: FAIR ENOUGH. WE'LL DULY NOTE THAT TESTIMONY BOTH ON THE -- WE'LL GO BACK AND DOUBLE-CHECK OUR MAPS ON THE ACREAGE AND SORT OF THE SURVEYING ASPECT AND I'LL BE HAPPY TO TRY TO SCHEDULE A MEETING OR CERTAINLY SIGN A LETTER OR DO

SOMETHING WITH REGARDS TO THE POSTAL ISSUE. ANY ADDITIONAL CITIZENS WHO WOULD LIKE TO GIVE US TESTIMONY ON THIS PUBLIC HEARING, THE FURL PURPOSE ANNEXATION OF THE MICHENER STORAGE FACILITY AREA? HEARING NONE, I'LL ENTERTAIN A MOTION. MOTION BY COUNCILMEMBER MCCRACKEN, SECONDED BY THE MAYOR PRO TEM TO CLOSE THIS PUBLIC HEARING. ALL IN FAVOR PLEASE SAY AYE? OPPOSED? MOTION PASSES ON A VOTE OF SIX TO ZERO WITH COUNCILMEMBER COLE OFF THE DAIS.

ITEM NUMBER 114 IS THE MORNINGSIDE AREA. THIS INCLUDES APPROXIMATELY 23 ACRES AND IS LOCATED IN SOUTHERN TRAVIS COUNTY EAST OF MANCHACA ROAD AT THE INTERSECTION OF MANCHACA ROAD AND MORNINGSIDE LANE. THIS AREA IS CURRENTLY UNDEVELOPED AND INCLUDES THE PROPOSED MORNINGSIDE SUBDIVISION, A 116 UNIT SMALL LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION. I'D BE HAPPY TO ANSWER ANY QUESTIONS YOU MIGHT HAVE ON ITEM 114.

Mayor Wynn: QUESTIONS OF STAFF, COUNCIL? COMMENTS? IS THERE ANY CITIZENS WHO WOULD LIKE TO ADDRESS THIS PUBLIC HEARING FOR THE FULL PURPOSE ANNEXATION OF THE MORNINGSIDE AREA? SOUTHERN TRAVIS COUNTY. HEARING NONE, I'LL ENTERTAIN A MOTION. MOTION BY COUNCILMEMBER MCCRACKEN, SECONDED BY THE MAYOR PRO TEM TO CLOSE THIS PUBLIC HEARING. ALL IN FAVOR PLEASE SAY AYE?

AYE. OPPOSED MOTION PASSES ON A VOTE OF SIX TO ZERO.

ITEM 115, THE RANCHO ALTO V AREA, APPROXIMATELY 11 ACRES, LOCATED IN SOUTHERN TRAVIS COUNTY, SOUTH OF FRATE BARKER ROAD AND WEST OF RANCHO ALTO ROAD. THIS IS AN AREA UNDER THE CITY'S FULL PURPOSE JURISDICTION ON THE EAST SIDE AND IS CURRENTLY UNDEVELOPED. IT INCLUDES THE PROPOSED RANCHO ALTO V SUBDIVISION. AT THIS TIME I'D BE HAPPY TO ANSWER ANY QUESTIONS YOU MIGHT HAVE ON ITEM 115.

Mayor Wynn: QUESTIONS FOR STAFF, COUNCIL? IS THERE ANY CITIZENS THAT WOULD LIKE TO GIVE US TESTIMONY AT

THIS PUBLIC HEARING, THE FULL PURPOSE ANNEXATION OF THE RANCHO ALTO V AREA? HEARING NONE, I'LL ENTERTAIN A MOTION. MOTION MADE BY COUNCILMEMBER LEFFINGWELL, SECONDED BY COUNCILMEMBER MCCRACKEN TO CLOSE THE PUBLIC HEARING. ALL IN FAVOR PLEASE SAY AYE? OPPOSE SND MOTION PASSES ON A VOTE OF SIX TO ZERO WITH COUNCILMEMBER COLE OFF THE DAIS.

ITEM NUMBER 116 IS THE VAUGHT RANCH ROAD AREA THVMENT INCLUDES APPROXIMATELY 99 ACRES LOCATE UNDERSTAND TRAVIS COUNTY SOUTH OF FM 2222, EAST OF THE INTERSECTION OF 2222 AND VAUGHT RANCH ROAD THVMENT AREA IS AJAY STOANT THE CITY'S FULL PURPOSE JURISDICTION ON THE NORTH SIDE AND INCLUDES THE VAUGHT RANCH SUBDIVISION. PROPOSED USES FOR THIS SITE INCLUDE PROPOSED FAMILY RESIDENTIAL AND OFFICE AND GREENBELT. AT THIS TIME I'D BE HAPPY TO ANSWER QUESTIONS YOU MIGHT HAVE ABOUT ITEM 116.

Mayor Wynn: QUESTIONS, COUNCIL? ARE THERE ANY CITIZENS THAT WOULD LIKE TO ADDRESS THIS FLEERIGHT FULL PURPOSE ANNEXATION OF THE VAUGHT RANCH AREA? HEARING NONE, I'LL ENTERTAIN A MOTION. MOTION BY MAYOR PRO TEM, SECONDED BY COUNCILMEMBER LEFFINGWELL TO CLOSE THE PUBLIC HEARING. ALL IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION PASSES AGAIN ON A VOTE OF SIX TO ZERO.

FINALLY, ITEM NUMBER 117, THE WALNUT CREEK PARKLAND AREA, INCLUDES 135 ABERS IN TRAVIS COUNTY SOUTH OF OLD MANOR ROAD AND WEST OF DAFFAN LANE. IT INCLUDES A PORTION OF OLD MANOR ROAD AND REMAINING PORTION OF THE WALNUT CREEK GREENBELT NOT ALREADY IN THE CITY'S FULL PURPOSE JURISDICTION AS WELL AS ADDITIONAL CITY OWNED PROPERTY NOT DESIGNATED AS PARKLAND. AT THIS TIME I'D BE HAPPY TO ANSWER NIZ QUESTIONS ON ITEM 117.

Mayor Wynn: QUESTIONS, COUNCIL? IS THERE ANY CITIZENS THAT WOULD LIKE TO GIVE US TESTIMONY ON THE@THIS PUBLIC HEARING, ITEM 117, THE FULL PURPOSE ANNEXATION OF THE WALNUT CREEK PARKLAND AREA? HEARING NONE, I'LL ENTERTAIN A MOTION. SO MOVED BY

THE MAYOR PRO TEM, SECONDED BY COUNCILMEMBER LEFFINGWELL TO CLOSE THIS PUBLIC HEARING. ALL IN FAVOR PLEASE SAY AYE? MOTION PASSES AGAIN ON A VOTE OF SIX TO ZERO. QUICKLY, MS. COLLIER, REMIND ME. ON THE MICHENER STORAGE FACILITY, WHEN WOULD THAT FULL PURPOSE ANNEXATION BECOME EFFECTIVE?

DECEMBER 31st.

Mayor Wynn: HOPEFULLY LONG BEFORE THEN WE CAN SATISFY THOSE COUPLE OF ISSUES. THANK YOU. THERE BEING NO MORE ITEMS BEFORE THIS WEEK'S CITY COUNCIL MEETING, WE STAND ADJOURNED. IT IS 9:55 P.M.

End of Council Session Closed Caption Log